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THE SCOTS PEERAGE

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THE

SCOTS PEERAGE

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OF SIR ROBERT DOUGLAS'S

Peerage of Scotland

CONTAINING
AN HISTORICAL AND GENEALOGICAL ACCOUNT
OF THE NOBILITY OF THAT KINGDOM

EDITED BY

SIR JAMES BALFOUR PAUL
LORD LYON KING OF ARMS

WITH ARMORIAL ILLUSTRATIONS

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VOLUME IV

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THE ANCIENT EARLS OF FIFE

IFE (with Fothreve, the modern Kinross) was one of the seven provinces into which ancient Scotland was divided, and which were governed each by its *regulus* or *mormaer* in subjection to the Ard-Ri, the King of Scotland.

Douglas in his *Peerage* begins the line of Earls of Fife with MACDUFF, whom he styles Thane of Fife, but John of Fordun, who flourished in the latter half of the fourteenth century, was thefirst to create Macduff Thane and Earl of Fife, and his story has been embellished and handed on by Wyntoun, Boece, and Buchanan. The whole narrative, however, has been discredited by later historians, first by George Chalmers,[1] and more recently by Dr. Skene, while the writer of the article 'Macduff' in the *Dictionary of National Biography* calls him 'a half or wholly mythical personage.' The early English chronicles, too, will be searched in vain for the name of Macduff in connection with the defeat of Macbeth and the placing of Malcolm Canmore on his throne. They are unanimous in giving the credit of that act to Siward, the great Earl of Northumberland, and uncle of Malcolm, at the instigation of King Edward the Confessor. And with this statement agrees the *Chronicle*

[1] *Caledonia*, ii. 712.

of Melrose, under date 1054, which is the date given by all the English chronicles.[1]

Of the existence, then, of Macduff, Thane or Earl of Fife, there is not a particle of proof. In the Cartulary of the Priory of St. Andrews, where one might have expected to find him named, he nowhere appears. If it be objected that charters of Macduff's date could hardly be found in Scotland, there will be found in that Cartulary memoranda of grants of land by persons not only contemporary with, but of an earlier date than, that of the supposed Macduff.[2]

I. EDELRAD, or Ethelred (the name is found with both spellings), the third son of King Malcolm Canmore, was undoubtedly the first Earl of Fife.[3] He is so designed in a grant of land made by him to the Culdees of Loch Leven. This grant appears in two versions, the shorter of which probably follows the original,[4] while the notice in the Register of St. Andrews is evidently of later date. In both forms Ethelred describes himself as 'son of Malcolm, King of Scotland, Abbot of Dunkeld, and also (*et insuper*) Earl of Fyf.'

A difficulty has been found in the description of this grant as given in the Register of the Priory of St. Andrews. It is the presence of two Earls of Fife, Ethelred and Constantine, existing apparently at the same period, but the

[1] *Chronicle de Mailros*, 50; see also Skene's *Chronicles of the Picts*, etc., 210. [2] *Reg. Prior. S. Andree*, 113-117. [3] Douglas, after Macduff, inserts a Duffagan as Earl of Fife, but while a 'Dufagan comes' appears as a witness to the charter to Scone by King Alexander I., it is more probable he was of Angus, rather than of Fife. The editor of the *Complete Peerage* makes BETH the first Earl of Fife. As 'Beth comes' he heads the seven Earls who witness the foundation charter of Scone, and is also a witness to the charter by King Alexander I., granting the privilege of holding courts (*Liber Ecclesia de Scon.*, 4, 9). Nothing more is known of him, and the same remark applies to 'Ed. comes' or 'Head comes,' who appears as a witness to King David's charter of confirmation to the Abbey of Dunfermline, *circa* A.D. 1128 (*Reg. de Dunfermelyn*, 4) (which charter is probably not altogether genuine), and to the same King's charter of confirmation to the same abbey of the shire of Kircalden (*Ibid.*, 16). He is only mentioned here, as it has been suggested (*Complete Peerage*, *s. v.* Fife) that he was Earl Ethelred, and 'contemporary with Earl Beth, and with Earl Constantine his successor,' thereby making confusion worse confounded. [4] *Early Scottish Charters*, 243.

solution of the puzzle is simple. The Latin memorandum of Ethelred's grant was written a considerable time after the grant was made, and the scribe adds that Ethelred's charter was confirmed by his brothers, David and Alexander, *i.e.* after 1107. It is to this confirmation that Earl Constantine was a witness.

Nothing further is known of Ethelred, and he apparently died before 1098, when his next brother Edgar became King. Lord Hailes says of him 'he became a churchman,'[1] forgetting for the moment that Ethelred's being Abbot of Dunkeld did not make him an ecclesiastic in the sense of not being a layman. He was a great lay-abbot, as was Crinan, the progenitor of the great race of Celtic Kings of Scotland.

II. CONSTANTINE.—Who he was, and how he became to be Earl of Fife, there is apparently no means of knowing. His name is suggestive of a regal origin. The Earl is called, at least once, '*Constantine Macdufe*,' but it is in a charter of King Edgar's, the genuineness of which, though maintained by able authorities, is open to doubt.[2]

It is not known at what date Constantine became Earl, but it was apparently about, if not before, 1107, as he witnessed the confirmation of Ethelred's grant to the Culdees of Loch Leven, and the translator of the Gaelic memorandum of the grant styles him 'a man of the greatest discretion.' He next appears as the leading arbiter in a dispute about the boundaries of Kirkness belonging to these Culdees, and those of Lochore belonging to Sir Robert of Burgon, when he is called 'a discreet and eloquent man,' and is also designed *Magnus Judex in Scotia*.[3] As Constantinus *comes* he witnessed King David's confirmation charter to Dunfermline, the date of which is variously given as 1126 and 1128.[4] He engaged in a quarrel with the Abbey of Dunfermline about the lands of Kirkcaldy, which he by force kept from the Church.[5] This was not the only occasion on which there was bad blood between the church of Dun-

[1] *Annals*, i. 49. [2] *Early Scottish Charters*, ix. 245. [3] *Reg. S. Andree*, 116, 117. 'Magnus Judex' is apparently the Latin rendering of the Gaelic *Mormaor*. [4] *Reg. de Dunfermelyn*, 4; *Early Scottish Charters*, 323. [5] *Reg. de Dunfermelyn*, 16.

fermline and Earl Constantine. There is a letter to him from King David, couched in severe terms, commanding him to allow that church all the 'customs' that were its due, and threatening if he refused to compel him to do so.[1] If Earl Constantine married, the name of his wife is not found. The date of his death has been given as in 1127 or 1129, on what authority is not stated.[2] He left an heir or heirs,[3] but nothing apparently is known of them.

III. GILLEMICHAEL succeeded to Earl Constantine. It has been assumed that he was the son of the latter, but there is no evidence of the relationship. In King David's charter of the 'shire' of Kirkcaldy and its church to Dunfermline[4] there is a clause prohibiting *any one of the heirs* of Constantine, Earl of Fife, from calling in question the grant. From the language of the charter it may be assumed that Constantine was then dead,[5] and it is noteworthy that Gillemichael is not mentioned either as heir of Earl Constantine, or as a witness to the charter. His identity is doubtful: whoever he was, his position among the magnates of Scotland was a high one. In King David's confirmation charter to Dunfermline he appears as 'Gillemichael Macduf,' and is ranked immediately after the Earls and before Herbert the Chancellor, and a great noble like Hugh de Morevill, afterwards Constable.[6]

'Gillemichell' appears to have rendered great services to the King, and it is not improbable that the territorial earldom became for the first time hereditary to him and his heirs.[7] He witnessed several other charters of King David to Dunfermline, and also the same King's charter of confirmation to Holyrood.

Earl Gillemichael did not hold the earldom many years, and there is some doubt as to the year of his death, which has been given as 1139, but he appears in a charter dated about 1133, while Duncan is styled Earl in 1136, if not earlier.[8]

[1] *Reg. de Dunfermelyn*, 13. [2] Wood's Douglas's *Peerage*. [3] *Reg. de Dunfermelyn*, 16. [4] *Ibid.* [5] Sir A. C. Lawrie gives *circa* 1130 as the date of this charter; *Early Scottish Charters*, 76. [6] *Reg. de Dunfermelyn*, 4. [7] *Complete Peerage*, iii. *s. v.* Fife. [8] *Reg. de Dunfermelyn*, 15; *Reg. Epis. Glasguensis*, 9.

The name of Gillemichael's wife has not come down to us. He had at least two sons and one daughter:—

1. DUNCAN, his successor.
2. *Hugh*, father of Hugh (sometimes called Egius and Eugenius).[1] (*See title* Wemyss.)
3. *Ete*, wife of Gartnait, Earl of Buchan, is described as the daughter of Gillemichael, and it is not improbable that she was the daughter of this Earl, as there is no other Gillemichael of that period known to history on record.

Gillemichael may have had another son, *Adam*, progenitor of a family designed from its lands *De Syras*, and who is a frequent witness to charters of King William, Earl Duncan, and Robert and Richard, bishops of St. Andrews.[2]

IV. DUNCAN, fourth Earl of Fife, succeeded sometime before July 1136,[3] and was probably, though not certainly, the son of Gillemichael. He is a constant witness to charters of King David I. to religious houses generally. In 1147, as *Comes Duncanus*, he is found witnessing the foundation charter of Cambuskenneth.[4] About 1150 he is a witness to King David's charter to the monks of Deer, declaring them to be free from all lay duty or exaction.[5] He was himself a benefactor to the church, and in an especial degree to the Benedictine Nunnery of North Berwick, of which he would seem to have been actually the founder. Immediately after the death of his son Prince Henry, King David I. sent his grandson Malcolm, in charge of the Earl, on a solemn progress through Scotland, and ordered him to be proclaimed heir to the crown.

> 'And als he depute hys Counsale
> The Erle of Fyffe mast specyalle
> All governyd by hym to be
> In his state, and hys reawte.'[6]

Earl Duncan is said to have died in 1154, and was certainly dead before 1160. By his wife, whose name is unknown, he had issue at least two sons and a daughter:—

[1] *Reg. Prior. S. Andree*, 216. [2] Registers of St. Andrews and Dunfermline *passim*. [3] *Reg. Epis. Glasguensis*, 9. [4] *Registrum Monasterii de Cambuskenneth*, 72. [5] *Book of Deer*, Spalding Club, 95. [6] Wyntoun's *Cronykil*, ed. Laing, ii. 191; Lord Hailes' *Annals*, i. 104.

1. DUNCAN, his successor.
2. *Adam.* In 1163 or 1164 'Adam, son of the Earl,' witnessed the confirmation by Richard, Bishop of St. Andrews, of the church of Cupar to the church of St. Andrews. His name occurs third in a list of sixteen witnesses.[1] He may have been the 'Adam, son of Duncan,' who, with Orabilis his wife, witnessed about 1172 the grant of the church of Lochres by Nes, the son of William, to the church of St. Andrews.[2] Orabilis his wife apparently survived him. She had previously been the wife of Sir Robert de Quincy, from whom she was probably divorced, and she married thirdly Gilchrist, Earl of Mar.
3. *Afreka*, wife of Harold the elder, Earl of Orkney, and mother by him of two sons and two daughters.[3]

Some writers have held that the families of Spens, M'Intosh, Duff, and Fife, are descended from this Earl of Fife, but without proof, and it is now certain that the origin of the M'Intoshes is to be looked for elsewhere.

V. DUNCAN, fifth Earl of Fife, succeeded his father Earl Duncan in 1154. In one of his early charters (it must be dated at least before 1177), confirming a grant by his father to the nuns of North Berwick, he styles himself in regal fashion 'Duncan, by the Grace of God Earl of Fife.'[4] He is a witness to many charters of King Malcolm IV. and King William the Lion to religious houses, and was himself a liberal benefactor to such. Douglas says he founded the nunnery of North Berwick, but the credit of that must be given to his father; although he confirmed and added to his father's donations to that house. This Earl seems to have been much about the person of King William, and, as in the case of former Earls of Fife, is given precedence over the other Earls of Scotland as witnesses to the King's charters. By King William he was made Justiciar of Scotland, being so styled for the first time in the charter of the church of Ecclesgreig to the church of St. Andrews,[5]

[1] *Reg. Prior. S. Andree*, 137. [2] *Ibid.*, 287; Matthew, Bishop of Aberdeen, also a witness, became bishop in 1172. [3] *Orkneyinga Saga*, Edinburgh, 1873, xlii and 188. [4] *Carte Monialium de Northberwic*, Bannatyne Club, 4. [5] *Reg. Prior. S. Andree*, 218.

dated between 1171 and 1178, and he held the office for more than twenty years, as the latest reference to him as such is on 28 December 1199.[1] He heads the list of Scottish Earls and Barons who joined with King William in doing homage to King Henry II. of England at Falaise in Normandy in December 1174, and was one of the hostages for the due performance of King William's obligations.[2]

Sir Robert Sibbald[3] prints a charter of King Malcolm IV. granting to Earl Duncan, with his niece Ada, 'the lands of Strathmiglo, Falkland, Kettle, Rathillet in Fife, and of Strathbran in Perthshire.' The charter, from the witnesses, must be dated between 1160 and 1162, but the name of Earl Duncan's wife was not Ada but Ela or Hela,[4] as she is so named in a grant which he made to the Abbey of Dunfermline of the church of Calder Comitis, or Earl's Calder, which is confirmed by Ela his wife and by Robert, Bishop of St. Andrews, who died in 1158 or 1159.[5] The terms of the writ by Countess Ela suggest that she was heiress of Earl's Calder. Earl Duncan may have acquired that barony also by his marriage with her. She was, according to the charter quoted, the niece of King Malcolm, but it has been objected that Malcolm, who was born in 1142, could scarcely have had a niece marriageable in 1160. Yet it is possible that Ada or Ela might be the child of an illegitimate son or daughter born to Malcolm's father Earl Henry, in his youth, as he had at least one illegitimate child, and may have had others.

Duncan, fifth Earl of Fife, died in 1204. He had three sons and one daughter:—

1. MALCOLM, his successor.
2. *Duncan*, who as 'Duncan, son of Earl Duncan,' is a witness to the grant made by Cristina Corbet to the church of St. Andrews of certain serfs,[6] and also affixed his seal to the confirmation by William, son of Earl Patrick of Dunbar, and husband of Cristina Corbet,

[1] *Reg. Moraviensi*, No. 17. [2] Rhymer's *Fœdera*, i. 39, 2nd ed. [3] *History of Fife*, Cupar ed., 228. [4] The charter is printed by Sir Robert Sibbald from a copy by Sir James Balfour of Denmylne, who assigned a wrong date to it, and who may have misread Ada for Ela. The latter was certainly the name of the Countess, as she appears in several writs. [5] *Reg. de Dunfermelyn*, 55, 89. [6] *Reg. Prior. S. Andree*, 263.

of the same grant. He is also a witness with his brother David to the charter of Earl Malcolm, their brother, of the church of Abircrumbie to the Abbey of Dunfermelyn.[1]

He married 'the lady Aliz Corbet,' who is described as his wife in the charter cited above.[2] Douglas says her father was Walter Corbet of Makerstoun.[3] He had issue, so far as known:—

(1) MALCOLM, who became seventh Earl.

3. *David*, who is a witness as above. He got from his father the lands of Strathbogie, forming one of the five districts of Aberdeenshire. He was father of John de Strathbogie, who became Earl of Atholl by his marriage.
4. ——, a daughter, name unknown. In 1188 Earl Duncan gave 500 marks to the King of England (250 of which was then paid, and 250 in 1190) for the custody of Roger de Merlay's land in Northumberland, and the ward of his son, and for leave that the son might marry the Earl's daughter.[4]

VI. MALCOLM, sixth Earl of Fife, succeeded his father, Duncan, in 1204. Before 1177 he is found witnessing his father's charter of Gillecamestone to the nuns of North Berwick, to whom also he confirmed his father's and grandfather's gifts.[5] Soon after his succeeding to the earldom, he had from King William a charter of the lands of Bingouer, which Uchtred of Bingouer had, in the King's presence, and in his full court, resigned in favour of Earl Malcolm, on the ground that he, Uchtred, had no other heir nearer than Earl Malcolm.[6] He founded in 1217, the Cistercian Abbey of Culross.[7] He made a grant to the see of Moray, to which Duncan and David his brothers are witnesses. Malcolm, sixth Earl, died in 1228, leaving no issue, and was buried in Culross Abbey. The site of his tomb is unknown. He married, in the lifetime of his father, Matilda, daughter

[1] *Reg. de Dunfermelyn*, 83. [2] *Reg. Prior. S. Andree*, 278. [3] *Peerage*, i. 574. [4] *Cal. Doc. Scot.*, Nos. 191 and 202. [5] *Carte Monialium de Northberwic, passim.* [6] *Acta Parl. Scot.*, i. 390. [7] *Chron. de Mailros*, 129, 270.

of Gilbert, Earl of Stratherne, and got with her the lands of Glendovan, Aldie, and Fossoway.[1]

VII. MALCOLM, son of Duncan, nephew of the last Earl, succeeded his uncle in 1228 as seventh Earl of Fife. He was one of the guarantors of a treaty with the English at York, 25 September 1237, and of another treaty in 1244, by which King Alexander II. engaged to live at peace with England, and he joined with other nobles in a letter to the Pope to the same effect.[2] In the reign of King Alexander III. Earl Malcolm was one of the faction of King Henry III., and was appointed one of the Regents of Scotland and guardians of the young King and Queen 20 September 1255. On 24 April 1256 Earl Malcolm of Fife was fined in Northumberland for not coming before the justices on the first day of a court.[3] He was one of the Scottish nobles to whom King Henry made oath that he would restore the Queen of Scotland and her child, when she went to England for her first confinement in 1260. The Earl died in 1266, having married Helen, a daughter of Llewellyn, Prince of Wales. She survived him, and married, secondly, Donald, Earl of Mar. She was alive in 1291, and was still drawing her terce from her first marriage.[4] He had issue:—

1. COLBAN, eighth Earl of Fife.
2. *Macduff*, who is the occasion of an interesting episode in Scottish history. He received from his father the lands of Reres and Croy in Fife, but was dispossessed of them by William, Bishop of St. Andrews, guardian of the earldom during the minority of Duncan, ninth Earl of Fife. He complained to King Edward I., who ordered the Regents of Scotland to try his cause. They restored him to possession. But in Baliol's first parliament held at Scone on 10 February 1292-93 Macduff was required to answer for having taken possession of these lands, which were in the custody of the King since the death of the last Earl of Fife. Macduff acknowledged the possession but denied the trespass. He pleaded that his father

[1] *Liber Insule Missarum*, Appendix xxiii., Bannatyne Club. [2] *Cal. Doc. Scot.*, i. 1358 and 1655. [3] *Ibid.*, i. 397. [4] Fordun *à* Goodall, ii. 58, 104; Stevenson's *Hist. Documents*, i. 410, 414.

Malcolm had made a grant of the lands to him, and that King Alexander III. had, by charter, confirmed that grant. It was testified by the nobility present that Alexander III. had the custody of the lands in controversy after the death of Malcolm by reason of the nonage of Colban, and in like manner, after the death of Colban. That after the death of Duncan, the son of Colban, the lands were in the custody of the sovereign, by reason of the nonage of Duncan, the son of Duncan. Macduff was therefore condemned to imprisonment for his trespass; but action was reserved to him against Earl Duncan, his grand-nephew, when he should come of age. Macduff was confined for a few days; as soon as he was set at liberty, he petitioned Baliol for a re-hearing, and offered to prove his title of possession by written evidence, but the petition was rejected. Macduff appealed to King Edward I., and in his appeal set forth the judgment of the Regents which had put him in possession. Edward ordered Baliol to appear in person before him, and to make answer to Macduff's complaint. Baliol at first yielded no obedience to the order, but at last presented himself before Edward, who decreed in favour of Macduff.[1] When Wallace erected the standard of national independence, Macduff joined him, and fell, gallantly fighting, at the battle of Falkirk 22 July 1298.[2]

VIII. COLBAN, eighth Earl of Fife, succeeded Earl Malcolm in 1266. He was knighted by King Alexander III. in 1264,[3] when he can have been only in his 'teens, as he was in nonage when he succeeded his father two years later. He must also have married while yet a youth, as at his death in 1270 his son and successor was eight years of age. He married a lady of whom we know only the Christian name. A charter of his to a Master William Wyschard (probably the same who was afterwards Bishop of St. Andrews) of the lands of Glensallauch in the Mearns, is said to be granted with the consent and goodwill of Anna

[1] *Acta Parl. Scot.*, i.; Hailes, *Annals*, i. 247. [2] Wyntoun's *Cronykil*, Laing's ed., ii. 347. [3] Fordun à Goodall, ii. 102.

his spouse, and the suggestion may be hazarded that Countess Anna was one of the three daughters and co-heiresses of Sir Alan Durward. Earl Colban's arms on the seal are paly of six.[1] Earl Colban left a son,

IX. DUNCAN, ninth Earl of Fife, who succeeded his father in 1270, being then a boy of eight years of age. His ward was granted to Alexander, Prince of Scotland, son of King Alexander III. He was admitted to possession of his earldom in 1284, and was chosen one of the six Regents of the Kingdom after the death of Alexander III. in the Parliament of Scone 2 April 1286. He was in England in 1286-87, and by deed, dated at Westminster 5 February, when about to set out for Scotland, appointed two attorneys for a year, to act for him in his absence.[2] He was in England again on 5 July 1287.[3] He was murdered at Petpollock on 25 September 1288 by Sir Patrick Abernethy and Sir Walter Percy. Sir Andrew Moray of Bothwell seized Percy and Sir Hugh Abernethy, the real instigator. Percy was executed, and Sir Hugh Abernethy condemned to perpetual imprisonment in the castle of Douglas, where he died. Sir Patrick Abernethy made his escape to France, and died there.[4]

Duncan, Earl of Fife, married Johanna de Clare, daughter of Gilbert de Clare, Earl of Gloucester. On 6 June 1292 Johanna de Clare, Countess of Fife, widow of Duncan, Earl of Fife, granted bond to King Edward I. in a thousand marks of silver for his leave to marry.[5] She was subsequently married to Sir Gervase Avenel, and was living in 1322-23.[6]

The Earl had issue one son and one daughter:—

1. DUNCAN, tenth Earl.
2. *Isabel*, married to John Comyn, second Earl of Buchan. She it was who crowned Bruce, and for that deed was, by order of King Edward I., confined in a room called a cage within the Castle of Berwick.

X. DUNCAN, tenth Earl of Fife, was only three years of age at the time of his father's death in 1288. Being still under age at the coronation of John Baliol at Scone, 30

[1] From the original charter belonging to the Earl of Kinnoull. [2] *Cal. Doc. Scot.*, ii. No. 310. [3] *Ibid.*, 317. [4] *Hist. Doc. Scot.*, i. 69; *Rotuli Scot.*, i. 2. [5] *Cal. Doc. Scot.*, ii. No. 602. [6] *Ibid.*, iii. Nos. 566 and 804.

November 1292, King Edward I. appointed John de St. John to officiate for him. In 1294 that King gave to Robert Wishart, Bishop of Glasgow, the ward of the Earl's lands of Calder till his majority,[1] and Walter de Camehou was made keeper of the Earl's lands in the counties of Fife, Stirling, Perth, and Moray.[2] Sometime before 25 July 1302 Edmund de Mortimer had obtained the marriage of Duncan, son and heir of the late Duncan, Earl of Fife.[3] In 1306 Pope Clement V., at the request of King Edward I., granted a dispensation for the marriage of Duncan, Earl of Fife, with King Edward's granddaughter Mary de Monthermer, daughter of Ralph, Lord Monthermer, sometime (in right of his wife) Earl of Gloucester, by the Lady Joan Plantagenet, dowager Countess of Gloucester, daughter of King Edward, and he was then nineteen years of age.[4] On 28 January 1319-20 King Edward II. granted a safe-conduct to his beloved niece Maria, Countess of Fife, to go into Scotland to join her husband. This Earl, like so many more of his compeers, changed sides, sometimes holding with the English faction, at other times with the patriot Scots. He was the first of the Earls who signed the famous letter to the Pope, asserting the independence of Scotland in the Parliament at Aberbrothock on 6 April 1320. On attaching himself to King Robert Bruce he had got from that monarch charters of the earldom of Fife, the baronies of O'Neil in Aberdeenshire, Kinnoul in Perthshire, and Calder in Midlothian.[5] He was taken prisoner at the battle of Dupplin on 12 August 1332, submitted to Edward Baliol, and assisted at his coronation at Scone on 24 September following. On the return of King David II. from France in 1341 the Earl joined his party, and accompanied him in his unfortunate expedition to England in 1346. At the battle of Durham, 17 October that year, he was taken prisoner, and having sworn fealty to Baliol, was condemned to suffer death as a traitor, but obtained mercy. He was allowed to return to Scotland to raise money for his ransom in 1350. He died in 1353. By Mary de Monthermer, who survived him, and was alive on 30 March 1371, he had, so far as is known, only one daughter :—

[1] *Cal. Doc. Scot.*, ii. No. 700. [2] *Ibid.*, 708. [3] *Ibid.*, 1311. [4] *Cal. of Papal Letters*, ii. 30. [5] Robertson's *Index*, 16, No. 28; 25, No. 72.

ISABELLA, his heir and successor.

XI. ISABELLA, succeeded as Countess of Fife, as heir to her father, Earl Duncan, in 1353. While still young she was made prisoner at Perth in 1332, by Edward Baliol. She was married, first, to Sir William Ramsay of Colluthie in Fife, who, in her right, became Earl of Fife. He is designed William, Earl of Fife, knight, as witness to a charter of King David II. 12 April 1358,[1] and he obtained from that monarch a charter erecting Cupar into a free burgh. He died soon afterwards, leaving a son, but by a former wife.[2]

The Countess was married, secondly, to Walter Stewart, second son of Robert, afterwards King Robert II. He is generally said to have died in 1360, but a payment to Walter Stewart, Lord of Fife, in the Chamberlain's Accounts, audited in August 1362, shows that he was alive within about a year of that date.[3] He died without issue. The Countess was married, thirdly, to Sir Thomas Byset of Upsetlington, who, in prospect of the marriage granted to her his barony of Glasclune in Perth, his share of the lands of Erth and Slamanane, in Stirling, and his lands of Cuthildrayne, in Fife, which charter, dated on 10 January 1362-63, was confirmed by King David II. to Isabella for her life, Sir Thomas Byset being then dead, on 17 April 1365.[4] The same monarch had granted a charter to Thomas Byset, knight, of all the earldom of Fife, to be held to him and the heirs-male to be procreated betwixt him and Isabella de Fif, whom failing, to return to the King and his heirs, 8 June, in the thirty-fourth year of his reign, 1364.[5] Thomas Byset, Earl of Fife also dying without issue, Countess Isabella was married, fourthly, to John Dunbar. Among the missing charters of King David II. is one to John Dunbar and Isabella, Countess of Fife, of the earldom of Fife.[6] They had no issue.

Isabella, Countess of Fife, entered into an indenture with

[1] Confirmed by King Robert II., *Reg. Mag. Sig.*, fol. 148, No. 107. [2] *Exch. Rolls*, i. pp. cxlviii *note*, and 609. [3] *Ibid.*, ii. pp. lxxxi and 115. [4] *Reg. Mag. Sig.*, fol. 44. [5] *Ibid.*, 31. [6] Robertson's *Index of Missing Charters*, 52, No. 4. This charter is not in the existing book of King David's charters, though the rest of the charters on the same Roll are. Is it possible that it proceeded on Isobel's resignation 'by force and fear' alluded to in the indenture with Albany.

Robert, Earl of Menteith, afterwards Duke of Albany, third son of King Robert II., on 30 March 1371, narrating an entail made by umquhile Duncan, Earl of Fife, her father, to Alan, Earl of Menteith, grandfather of the Lady Margaret, spouse of Earl Robert, and an entail made by Isabel herself, and her late husband Walter Stewart, brother of Earl Robert, to the said Earl. In terms of these she acknowledges the Earl of Menteith to be her lawful heir-apparent, and upon his assisting her to recover her earldom, which she had by force and fear otherwise resigned, she binds herself to resign it in the King's hand in favour of the Earl himself, reserving for her life the frank tenement of the earldom, except the third part, allotted to Mary, Countess of Fife, the granter's mother. The Earl, upon the death of the Countess Mary, shall have her whole third part.

Among the Dupplin charters is one by King David II. to Sir Robert Erskine, knight, and Christian of Keith, his spouse, of the barony of Kinnoul, by resignation of Isabel Fyfe, heir to Duncan, sometime Earl of Fife, dated 22 July *anno regni* 31 (A.D. 1360). King Robert II., on 30 June 1373, confirmed a donation which Isabella, late (*dudum*) Countess of Fyff, made of an annualrent out of the lands of Over and Nether Sydserf.[1] The last reference to the Countess is in August 1389. She is said to have resigned in the hands of King Robert II. the barony of Strathurd, Strathbran, Discher, Toyer, with the Isle of Tay, in Perthshire, the barony of Coull and O'Neil in Aberdeenshire, the baronies of Cromdale and Affyn in Inverness-shire, the lands of Strahorie and Abbrandolie in Banffshire, the lands of Logyachry, in Perthshire, the barony of Calder in Edinburghshire, and the lands of Kilsyth in Stirlingshire. According to Skene, *De Verborum Significatione*, article 'Arage,' the resignation took place on 12 June 1389; but the true date is 12 August 1389.[2]

XII. ROBERT STEWART, Earl of Menteith, third son of King Robert II., in virtue of the above indenture, and sub-

[1] *Reg. Mag. Sig.*, i. 99, No. 16. [2] *Antiq. of Aberd.*, ii. 31, where the charter of Coull and O'Neil is given; for the other lands, see original charter in Gen. Reg. Ho., No. 196.

sequent resignation in his favour, became twelfth Earl of Fife (*see title* Albany). His eldest son was

XIII. MURDACH, second Duke of Albany, and thirteenth Earl of Fife. On his attainder and execution all his honours were forfeited, and the earldom of Fife was annexed to the Crown by Act of Parliament on 4 August 1455.

CREATION.—*Circa* 1090.

ARMS.—The seal of Malcolm, Earl of Fife, bears an armed knight on horseback to sinister, with drawn sword in right hand and a shield on his left arm, but no arms visible in impression.[1]

Colban, Earl of Fife, had a seal with a shield paly of six.[2]

Duncan, tenth Earl, bears on his seal a similar design to that of Malcolm, the arms on the shield being a lion rampant.[3]

Isabella, Countess of Fife, bore as her own arms a lion rampant.[4]

Robert, Earl of Fife and Menteith and Duke of Albany, had several seals: 1st, a fess chequy with a star in dexter chief; 2nd, a fess chequy surmounted of a lion rampant; 3rd, a lion rampant; 4th, quarterly 1st and 4th, a lion rampant, 2nd and 3rd, a fess chequy with a label of five points in chief.[5]

Murdach, Earl of Fife and Menteith and Duke of Albany bore a shield similar to that on his father's fourth seal, with the crest of a boar's head between two trees, and for supporters two lions sejant guardant coué.[6]

[A. T. G.]

[1] Macdonald's *Scottish Armorial Seals*, No. 924. [2] *Ibid.*, No. 925. [3] *Ibid.*, No. 926. [4] *Ibid.*, No. 927. [5] *Ibid.*, Nos. 2562-2565. [6] *Ibid.*, No. 2566.

OGILVY, EARL OF FINDLATER

SIR WALTER OGILVY of Auchlevyn and Deskford, ancestor of the Earls of Findlater, was the eldest son of Sir Walter Ogilvy of Carcary and Lintrathen, ancestor of the Earls of Airlie (*see* vol. i. pp. 111, 112) by his second wife Isobel, one of the three daughters and heirs-portioners of Sir John Glen of Balmuto by his wife Margaret Erskine. The date of Walter's birth is uncertain, but his father and mother were married 1390-1406,[1] and he was a witness to a charter by his father on 28 January 1426.[2] The earliest references to him are those contained in his grandmother's charters. On 20 November 1419, Margaret of Glen, lady of Inchmartine, relict of Sir John of Glen, knight, granted the lands of Achlewyne in the lordship of Garioch, to her son-in-law Walter of Ogilvy, Lord of Luntrethyn, and Isobella, his spouse, her daughter, with remainder to Walter their son, the substitutes being Walter's four brothers-german, David, Alexander, Patrick, and George successively.[3] Crawfurd quotes a Findlater writ to prove that Walter's marriage to Margaret Sinclair, heiress of Deskford, took place in 1437,[4] but he was Lord of Deskford in 1436, when he presented plate and vestments

[1] Robertson's *Index*, 150, No. 61. [2] *Reg. Mag. Sig.*, 3 February 1426-27.
[3] Spalding Club *Miscellany*, iv. 115. [4] *Peerage*, *voce* Findlater.

to the altar of St. John the Evangelist in the cathedral church of Aberdeen.[1] On 12 November 1440 he excambed with his brother Sir John Ogilvy of Lintrathen the lands and fishings of Wardropstoun in Kincardineshire for the lands and fishings of Balhawel in Forfarshire.[2] In 1450 he had a lease of Murelettir, in the lordship of Brechin, from the Crown.[3]

Sir Walter occasionally acted as Deputy Sheriff of Angus for his relative Alexander Ogilvy of Auchterhouse. The fact that Walter Ogilvy of Beaufort and Oures also acted as deputy for Alexander, who was his immediate elder brother, has occasioned confusion in the minds of some writers. In 1440 Sir Walter was present with the King in Council, and again in 1441.[4] In 1455 he obtained a royal licence to fortify the Castle of Findlater.[5] The sheriffdom of Banffshire, formerly in possession of the Auchterhouse branch, was, in 1454, conferred upon Sir Walter. His last accounts were audited at Edinburgh on 25 October 1456 for the period from 17 July 1454 to that date.[6]

He married, at least as early as 1436, when he is described as Lord of Deskford,[7] Margaret, daughter and heiress of Sir John Sinclair of Deskford and Findlater. The marriage may have been in 1435. He had a charter, 11 August 1440, of the lands and baronies of Deskford and Finlater,[8] to himself and his wife, who had resigned them while still *in sua virginitate*.

The children who have been traced are:—

1. James, his successor.
2. *Sir Walter* of Auchlevyn and Boyne. (*See title* Banff.)

Sir James Ogilvy. He inherited the estates of Deskford and Findlater, the patrimony of his mother, and made large additions to them during his life. As Sir James of Deskford, knight, he is a witness to a precept of sasine dated 24 October 1464, by Alexander, Earl of Huntly.[9] By an indenture, dated at Banff 24 March 1471-72, in return for a guarantee of protection, the town council of Banff leased

[1] *Reg. Epis. Aberd.*, ii. 147; *Third Rep. Hist. MSS. Com.*, App. 403. [2] *Reg. Mag. Sig.* [3] *Exch. Rolls*, v. 394, 450. [4] *Acta Parl. Scot.*, ii. 55, 57. [5] *Third Rep. Hist. MSS. Com.*, App. 404. [6] *Exch. Rolls*, vi. 171. [7] *Reg. Epis. Aberd.*, ii. 147; *Third Rep. Hist. MSS. Com.*, App. 403. [8] *Reg. Mag. Sig.* [9] *Family of Innes*, 78.

to him and his assignees, who were required to be one of his sons or his brother-german Walter, three nets upon the King's water of Dovern for nineteen years from Whitsunday 1472.[1] On 22 October 1473 he received a Crown grant of the lands of Blareschannach in Banffshire.[2] In the same year he sold his lands of Balfoure, Balconquhaile, Petmedy, and Balyorde in Forfar.[3] In 1474 he acquired from David, Earl of Crawford, the lands of Bauchlo, with the fishings in the Dovern,[4] and between this date and his death he acquired many lands and fishings in the counties of Banff and Aberdeen, including the Constabulary of Cullen, with the pertinents, as may be gathered from the Great Seal Record, all afterwards erected into the barony of Ogilvy. On 22 October 1479 he entered into a bond of manrent with the bailies of Cullen.[5]

Sir James took an active share in public affairs. In 1475 he and his brother Walter were two of the four arbiters named for the settlement of a feud between the Thane of Cawdor and the Baron of Kilravok, arising out of mutual 'slauchteris and debaittis.'[6] He was one of the representatives for the barons in the Parliament held at Edinburgh on 6 October 1488.[7] The year 1493 found the Ogilvys and Duffs at feud in regard to the possession of the lands of Fyndachyfilde, which the Duffs claimed under a charter of Robert the Bruce,[8] and Sir James became security for the Boyne branch of the clan that the Duffs should be skaithless at their hands.[9] Between 1490 and 1500, in addition to the designation 'of Deskford,' he is styled 'Lord of Strathnarn.' He was Customer of Banff for many years, and his accounts duly appear in the *Exchequer Rolls*,[10] his last account being dated 17 March 1482,[11] although there are references to him in that record down to within a few months of his decease.[12]

Sir James died 13 February 1509-10, and was buried at Fordyce, where his tomb is still to be seen.[13] He married, first, Margaret, eldest daughter of Sir Robert Innes of that Ilk;[14] secondly, Margaret Chaumer, who, at Aberdeen on

[1] *Annals of Banff*, i. 20. [2] *Reg. Mag. Sig.* [3] *Ibid.*, 23 October 1473. [4] *Ibid.*, 13 October 1474. [5] *Annals of Banff*, i. 21. [6] *Thanes of Cawdor*, 59. [7] *Acta Parl. Scot.*, ii. 200. [8] *Antiq. of Aberd. and Banff*, ii. 141. [9] *Acta Audit.*, 170. [10] Vols. viii. to x. inclusive. [11] *Ibid.*, ix. 203. [12] *Ibid.*, xiii. 113, 244. [13] *Annals of Banff*, i. 22. [4] *Family of Innes*, 18.

1 October 1510, as widow of the deceased Sir James Ogilvy of Deskford, knight, had her terce adjudged to her out of the Fishings of Ythane.[1]

By his first wife, Margaret Innes, he had the following children :—

1. JAMES, of whom below.
2. *Gilbert*.[2]
3. *John*, both called in their nephew Alexander's entails of the estate of Findlater of 22 May 1517 and 4 February 1521-22.[3]
4. *Walter* of Glassaugh, whose son Alexander is also called in the Findlater entails.
5. *Alexander*, killed at Flodden.[4]
6. *George*, an ecclesiastic.[5]
7. *Jonet*, married to Alexander Abercromby of Birkenbog.[6]
8. *Marion*, married to Patrick Gordon of Haddo.[7]
9. *Catherine*, married to William Crawfurd of Fedderet.[8]
10. *Elizabeth*, who, on 16 July 1487, received from Nicholas Dun of Ratee the lands of Ratee, Ardwne, and Bothquhanstoun, in the sheriffdoms of Banff and Aberdeen.[9] She was married (contract dated 15 September 1484) to John Grant of Freuchie.[10]
11. *Mary*, married to Alexander Urquhart, Sheriff of Cromarty.[11]

JAMES OGILVY, son and heir-apparent of Sir James, married Agnes Gordon, daughter of George, second Earl of Huntly.[12] She owned the lands of Drumnakeith, in the shire of Banff.[13] James died 1 February 1505-6[14] *vitâ patris*. His children were :—

1. ALEXANDER, who succeeded his grandfather.
2. *James*.[15]

[1] *Antiq. of Aberd. and Banff*, iii. 105. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] Crawfurd's *Peerage*, *voce* Findlater. [5] *Ibid.* [6] Murray Rose's *The Tragic History of the Abercrombies.* [7] See vol. i. 84. [8] Crawfurd. [9] *Reg. Mag. Sig.*. 30 September 1487. [10] *Chiefs of Grant*, i. 71. [11] Crawfurd. [12] *Third Rep. Hist. MSS. Com.*, App. 403. In the *Records of Aboyne*, 414, she is said to have been illegitimate, but no proof of the assertion is forthcoming. In 1519 Alexander, Earl of Huntly, designs Alexander, her son, as 'consanguineus meus.' [13] *Reg. Mag. Sig.*, 22 May 1517. [14] Inscription on tomb quoted in *Annals of Banff*, i. 22. [15] Called in his elder brother's entails of 22 May 1517 and 4 February 1521-22.

3. *John.*[1]
4. *Patrick.*[2] He is a witness to a charter of his elder brother Alexander 29 October 1533.[3]
5. *George.*[4]
6. *Elizabeth*, married to Sir James Dunbar of Westfield, Sheriff of Moray.

Alexander Ogilvy of Deskford and Findlater. On 9 April 1510 he was retoured as heir of his grandfather Sir James in the fishings of the water of Ythane in the sheriffdom of Aberdeen.[5] On 19 April 1514 he entered into a bond of manrent with James the Grant, son and heir of John the Grant of Freuchie.[6]

On 22 May 1517 the various lands belonging to Alexander in the counties of Banff, Aberdeen, and Forfar, were resigned into the hands of the Crown, united into the barony of Ogilvy, and entailed upon the following series of heirs: Alexander and his heirs, and then successively James, John, Patrick, and George, his brothers-german, Gilbert his uncle, John, brother of Gilbert, Mr. Alexander Ogilvy in Glassauch, Walter, son and heir of the deceased George Ogilvy of Boyne, and John, son of Sir William of Strathearne.[7] The property so entailed embraced in Banffshire the baronies of Findlater, Deskford, and Keithmore, the free forest of Glenfidich, the lands of Inverkeroch, Auchinstank, Balkery, Drumnaketh, and Blareshenoch, the lands and fishings of Bauchlaw[8] and Sandlach on the water of Dovern, the lands of Castelfield and office of constabulary of Cullen, with the towers and mills of Findlater and Auchindoun; in Aberdeenshire, Auchlevin, and Ardun, and fishings on Ythane; in Forfarshire Ballhall and Menmure.[9] In the charter thus creating the barony of Ogilvy Alexander is designed of Deskford, but for the remainder of his life he is usually designed as Alexander Ogilvy of that Ilk. In 1519 he acquired from the Earl of Huntly, who described him as

[1] Called in his elder brother's entails of 22 May 1517 and 4 February 1521-22. [2] *Ibid.* [3] *Reg. Mag. Sig.*, 2 January 1533-34. [4] Called in his elder brother's entails of 22 May 1517 and 4 February 1521-22. [5] *Antiq. of Aberd. and Banff*, iii. 105. [6] *Chiefs of Grant*, iii. 59. [7] For the Strathearne descent, see vol. ii. Art. 'Banff.' [8] Bauchlaw and the fishings were sold to William Bard of Sydde on 24 May 1537; *Reg. Mag. Sig.*, 1 June 1537. [9] *Reg. Mag. Sig.*

consanguineus suus, Tullynacht with the mill, Darchadlie and Langmure in the forest of Boyne, which had been alienated by the deceased Sir James of Deskford to Sir David Lindsay of Edzell, and were now redeemed by Alexander as heir of his grandfather Sir James. At the same time he acquired from the Earl the lands of Knockdurn and Bankhede, in the forest of Boyne, with the lands of Pittenbrinzeans and the rock known as Castelyairdis, near Cullen, the destination being to the same series of heirs as in the Crown charter of 22 May 1517.[1]

In 1521 the bailies and council of Cullen granted to Alexander, whom they term their fellow-burgess, Fyndachtie, Smythstown, Wodfeild, and Seifeilde, with the rocks and promontories of Seifeilde, within the burgh.[2] In 1526 he acquired in tack from the Abbot of Arbroath the teind sheaves of the churches of Banff and Innerboyndie.[3]

Up to a certain period of his career Alexander was a prosperous man, and a sane and reasonable one. He was one of the representatives of the barons on the committee of causes in the Parliament held at Edinburgh 14 November 1524.[4] On 27 February 1528 he was Sheriff Principal of Aberdeen.[5] In 1543 he added largely to the endowments of the church of St. Mary at Cullen.[6] But within a short time after his second marriage he assumed a hostile attitude to his son and heir James Ogilvy of Cardell, and (for reasons to be shortly referred to in the notice of the son) disinherited him. In terms of a contract entered into with George, Earl of Huntly, dated 20 July 1545, Alexander, on 4 September following, for the alleged reasons of favour shown to him by the Earl, his affection for John Gordon, the Earl's third son, and for certain services to be rendered by John to him, granted to the said John, whom failing, to his brothers William, James, and Adam Gordon, in succession, who were in future to bear the name and arms of Ogilvy, whom failing, to the male representatives of Boyne, Dunlugus, and Airlie in turn, the lands, baronies, and fishings belonging to him in Banff and Aberdeen.[7] The

[1] *Reg. Mag. Sig.*, 4 February 1521-22. [2] *Ibid.* [3] *Reg. Nig. de Aberd.*, 415. [4] *Acta Parl. Scot.*, ii. 285. [5] *Antiq. of Aberd. and Banff*, iii. 307. [6] *Ibid.*, i. 210. [7] *Reg. Mag. Sig.*, 28 September 1545. The Forfarshire property is not referred to in the charter. It may have been disposed of prior to its date.

Earl on his part granted to his third son John Gordon, now Ogilvy, the lands of Ordinhuiffis and Bogmochlis, in the forest of Boyne, with a destination to the same series of heirs.[1] Other charters by Alexander followed in similar terms,[2] and by these deeds all hope of succession on the part of the natural heir was cut off.

Alexander died in July 1554.[3] He married, first, Jonet Abernethy, second daughter of James, third Lord Saltoun. On 21 June 1509 the spouses had a charter from Sir James Ogilvy of Deskford, grandfather of Alexander, of the Mains of Auchindoun and others in Banffshire.[4] Secondly, before 31 December 1535, Elizabeth, natural daughter of Adam Gordon, Dean of Caithness, son of Alexander, first Earl of Huntly;[5] she survived her husband, and married very shortly after his death the above-mentioned John Gordon *alias* Ogilvie, the titular possessor of the Findlater estates.[6] She was alive in 1566, having also survived her second husband, who was executed at Aberdeen 31 October 1562.[7]

The children by the first marriage with Jonet Abernethy were:—

1. James of Cardell, of whom later.
2. *Margaret*, married, as his second wife, to James Gordon of Lesmoir, or Coldstone.[8] On 2 June 1546 the spouses had a charter of Erlisfeild and Segyden, in the sheriffdom of Aberdeen.[9]
3. *Marion*, to whom her brother James gave the liferent of Fyndauchtie.[10]

James Ogilvy, styled of Cardell. On 16 February 1534-35 James, designed son and heir-apparent of Alexander Ogilvie of that Ilk, obtained a Crown infeftment on his own resignation to himself and Jonet Gordon, his wife, of the lands of Cullard and Kincailze, the lands and fishings of Brodland, and one-half of the forty-shilling land of Holme, in the barony of Cardale and sheriffdom of Inverness.[11] On 25 July

[1] *Reg. Mag. Sig.*, 8 June 1546. [2] *Ibid.*, 17 February 1546-47; 24 August 1548. [3] *Acts and Decreets*, xxviii. 382. [4] *Reg. Mag. Sig.*, 7 July 1509. [5] *Records of Aboyne*, 395. [6] *Acts and Decreets*, xvii. 262. [7] *Reg. Mag. Sig.*, 12 February 1562-63; *Cal. of Scot. Papers*, i. 663; *Acts and Decreets, ut sup.* [8] *Records of Aboyne*, 76. [9] *Reg. Mag. Sig.*, 28 January 1546-47. [10] *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 233, Seafield Papers. [11] *Reg. Mag. Sig.* James appears to have inherited Cardell, in which he was infeft in 1524, from a collateral branch; *Thanes of Cawdor*, 123; *Exch. Rolls*, xv. 617.

1542 he entered into a reference with the 'Lord Frissale of the Lovet,' regarding the lands of Ruthven and Deulcromby, the arbiters being Robert, Bishop of Orkney, Houcheoun (or Hugh) Rose of Kilravock, and Sir Mawnys Wauss, provost of the Church of Tain.[1]

For many years James Ogilvy of Cardell faithfully served Mary of Lorraine, dowager of Scotland, and her daughter Mary, Queen of Scots, and the assistance of these powerful allies was of the greatest value to him in the struggle for the recovery of his patrimony. The malicious gossip abroad as to the relations between father and son, are summed up in a communication from the English agent and spy Randolph to Cecil, 30 September 1562,[2] but the true origin of the evil was the infatuation of the stepmother for John Gordon, her second husband (*ante*, p. 23). The 'devilement of a priest's geit' was not effaced until after much bloodshed and the temporary ruin of one of the ancient houses of Scotland. James of Cardell in his disinheritance received the full support and sympathy of his neighbours and his clan. Up to the period of his father's second marriage he had been on terms of close amity with the Huntly family. During his father's lifetime he could but remain a passive spectator of what was happening, but no sooner was his father dead, and Huntly's son in possession of the estates, than he sought redress. The Queen Regent, Mary of Lorraine, sincerely concerned at the feud which had broken out between two such staunch supporters of the Crown as Ogilvie and Gordon, set herself strenuously to arrange an amicable settlement, and finally pronounced a decree-arbitral between the contending parties on 21 May 1556.[3] The decision allowed John Gordon a liberal portion of the Findlater estates on condition of giving up the rest, but neither side would abide by the result, the Gordons being unwilling to disgorge, and Ogilvy determined to recover his entire patrimony. The dispute was at its height when Queen Mary landed in Scotland on 20 August 1561. The 'inexplicable severity' of Mary towards the house of Huntly, which has puzzled so many historians, had its root

[1] *Acts and Decreets*, i. 80. [2] *Cal. of Scot. Papers*, i. 656. [3] *Acta Parl. Scot.*, iii. 469.

largely in her determination to see justice done to her faithful servant. The outlawry of Huntly and his son John and the overthrow of their army at Corrichie on 28 October 1562, were speedily followed by the reinstatement of James Ogilvy in the estates of his ancestors, and the first of a series of Crown charters issued by Queen Mary in his favour sums up the situation in these words: 'Regina, quia quondam Alex. Ogylvy de Fyndlatter pro exheredatione Jacobi Ogilvy de Cardell filii sui et heredis apparentis, sine ulla justa causa, de consilio quorundam ejus minime amicorum infeodavit quondam Johannem Gordoun alias Ogilvy . . . in omni sua hereditate; et quondam regine mater Maria regina dotaria, percipiens dictum Jacobum injuste exhereditatum, magnis laboribus movit dictos Georgeum et Johannem ex una et dictum Jacobum ex altera partibus ad referendum omnem controversiam circa jus et amicitiam. *lie kyndnes*, que utraque dictarum partium ad dictas terras habuit, in aliquos judices arbitrarios ab ipsis electos, et eis discordantibus in dictam regine matrem, que decrevit dictum Johannem infeodare dictum Jacobum in dictis terris, quod dictus Johannes nunquam fecit; tunc habens dictas terras in manibus suis ratione forisfacture dicti Johannis pro nonnullis lese majestatis criminibus ad mortem justificati,—pro bono servitio (et quia dictus Jacobus virtute dicti decreti obligatus fuit ad infeodandum dictum Johannem in parte terrarum de Strathnarne et Cardell et de mandato regine fratrem regine Jacobum comitem Moravie in dictis terris infeodaverat) concessit dicto Jacobo heredibus ejus et assignatis, terras et baronias de Ogilvy,' etc.[1] Other charters followed, with the result that James of Cardell was reinstated in his inheritance.[2] In the course of the re-settlement the lands of Cardell, which had given James the territorial title by which he is best known, came into possession of the Earl of Moray, Queen Mary's illegitimate brother.[3] The penultimate stage of the dispute was reached on 21 March 1566, when a decree-arbitral was pronounced by arbiters, of whom there were two on either side, Queen Mary herself acting as overswoman.[4] In fulfilment of the decree, James assigned to Adam Gordon, younger brother of John,

[1] *Reg. Mag. Sig.*, 12 February 1562-63. [2] *Ibid.*, 8 and 28 February 1563-64, etc. [3] *Ibid* [4] *Ibid.*, 28 August 1581.

the barony of Auchindoun, in the county of Banff, 21 July 1567.[1] The reinstatement of James Ogilvy in his property was duly ratified by Parliament,[2] and solemnly confirmed by King James VI. on his attaining majority.[3]

Under the designation of James Ogilvy of that Ilk and Findlater he is noted as one of the Masters of the Queen's Household, 1562-67.[4] His household books are still preserved.[5] His latter will and testament is dated 16 September 1565.[6] By it he appointed James, Lord Ogilvy, tutor to his grandson Walter and to his granddaughter Marjorie, and committed to him the administration of the whole estate. The last reference observed to him is on 19 February 1574.[7]

He married, first, Jonet, third daughter of Sir Robert Gordon of Lochinvar;[8] secondly (contract 30 October 1558), Marioun, sister-german of William, sixth Lord Livingston.[9] She died *s. p.* at Inaultrie 13 February 1577; will dated 4 February.[10]

By his first wife he had:—

1. ALEXANDER, of whom below.
2. *Margaret*, married to Robert Munro of Fowlis.

The following natural children are referred to in his will:—

1. *Alexander*, to whom he assigned the reversion of the lands of Fyndauchtie from Marion Ogilvy, the granter's sister.
2. *Barbara*, to whom he bequeathed a legacy of £100, and directed that she should remain under his sister Marion's tutelage.

ALEXANDER OGILVY. On 1 September 1557 he and his wife had a charter from his father of the lands of Collard and others.[11] He died before 27 June 1562,[12] having married, previous to 1557, Barbara, daughter of Sir Walter Ogilvy of Boyne, and by her, who was married, secondly, to John Panton of Pitmeddan,[13] had issue:—

1. WALTER, of whom below.
2. *Marjorie.*

[1] *Reg. Mag. Sig.*, 28 August 1581. [2] *Acta Parl. Scot.*, ii. 560, 14 April 1567. [3] *Ibid.*, iii. 613. [4] *Exch. Rolls*, xix. [5] *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 233, Seafield Papers. [6] *Ibid.* [7] *Reg. of Deeds*, xiv. 38. [8] *Reg. Mag. Sig.*, 16 February 1534-35. [9] *Reg. of Deeds*, i. 228. [10] Edin. Tests.; *Acts and Decreets*, lxxiv. 54. [11] *Reg. Mag. Sig.*, 19 September 1557. [12] *Reg. of Deeds*, v. 218. [13] *P. C. Reg.*, i. 671.

I. Sir Walter Ogilvie, who succeeded his grandfather, is first named on 27 June 1562, when James Ogilvy of Cardell, as tutor to his grandchildren Walter and Marjorie, entered into a contract with James, Lord Ogilvy of Airlie, giving to Lord Ogilvy the custody of the children 'to the effect the said lord may cause marie ather of them being on lyfe on sum of his awne bairns hable and meet thairto, and failzeing therof on some other person of his surname competent and agreeable.'[1] In 1567, a few days after the parliamentary ratification of the estates to James Ogilvie, he re-settled them upon the following series of heirs (1) Walter, his grandson; (2) the granter himself; (3) James, Lord Ogilvy; and (4) and (5) the families of Boyne and Dunlugus.[2] On 9 May 1582 Walter and a number of others were made gentlemen burgesses of Aberdeen, but 'nocht to be occupiaris nor handleris with merchandeis.'[3]

In 1588 he was appointed a member of the commission for the county of Banff to see the laws against Jesuits and Papists put into execution.[4] On 30 April 1589 he joined the northern band in defence of the true religion and the King's government. On 11 January 1613 there was executed a bond of chieftainship by the house of Banff acknowledging Findlater as their chief, and promising 'to ride with, assist, and accompany him in all actions concerning the weill and honour of the house of Findlater.'[5] On 4 October 1615 he received a patent as a Peer of Scotland under the title of LORD OGILVY OF DESKFORD.[6] He died between 30 July 1623 and 7 July 1624.

He married, first, Agnes, second daughter of Robert, third Lord Elphinstone. She was born 3 October 1559.[7] He married, secondly, Marie Douglas, third daughter of William, Earl of Morton, and she survived him.[8]

By his first wife he had one daughter:—

1. *Christian*, married to Sir John Forbes of Pitsligo, and had issue.[9]

By his second wife he had issue:—

2. James, second Lord Ogilvy of Deskford.

[1] *Reg. of Deeds*, v. 218. [2] *Reg. Mag. Sig.*, 8 May 1567. [3] Spalding Club *Misc.*, v. 52. [4] *P. C. Reg.*, iv. 301. [5] *Third Rep. Hist. MSS. Com.*, App. 404. [6] *P. C. Reg.*, x. 399. [7] *Elphinstone Book*, i. 105. [8] Ms. Harl. 6442. [9] Macfarlane's *Gen. Coll.*, ii. 218, 474.

3. *Alexander* of Kempcairn.[1] He married Katherine, fourth daughter of John Grant of Freuchie, and was dead before 1669, leaving issue.
4. *William.*[2]
5. *Alexander.*[3]
6. *Anne,*[4] married, first, in 1598, to James, Earl of Buchan,[5] and secondly, as his first wife (contract 3 December 1608), to Andrew, Lord Gray. She died between 1614 and 1627.
7. *Mary,* married (contract 11 December 1613) to Sir John Grant of Freuchie, with issue.[6] She was living 1646, but died shortly afterwards.

II. JAMES, second Lord Ogilvy of Deskford and first Earl of Findlater. He took a share in public affairs during his father's lifetime.[7] In 1630 a commission was issued to him to try a wizard,[8] and in the following year he was a member of the commission appointed to inquire into the burning of Frendraught, the opinion of the committee being that the Tower was set on fire from within, and not from without.[9] In 1634 he was bailie-principal of the regality of Strathisla.[10] In 1635 he was charged to deliver up some of his servants who had been resetters and intercommuners with the broken men of the Gordons, an indication of which there is ample confirmation both in public records and private archives that when the evil influence of Elizabeth Gordon was removed and forgotten the families resumed their normal attitude of good neighbours and allies. In 1637 the house of Ogilvy was divided against itself, and there are several references to this feud in the records in which Airlie and Banff were ranged on the one side, and Deskford and Inchmartine on the other.[11] Ultimately the parties referred their differences to the Earls of Traquair, Roxburgh, and Selkirk,[12] after which we hear no more of the affair. On 22 June 1637 Lord Deskford was admitted a member of the Privy Council, and was a regular attender at the board.[13] In the Civil War Lord

[1] *Reg. Mag. Sig.*, 26 March 1622. [2] *Banff Sas., Sec. Reg.*, ii. 230. [3] *Ibid.* [4] Not Margaret as stated in vol. ii. 271. [5] Ms. Harl. 6442. [6] *Chiefs of Grant*, i. 197. [7] *P. C. Reg.*, xii. 313; xiii. 349. [8] *Ibid.*, sec. ser., iv. 39. [9] *Ibid.*, 74, 214; Spalding's *Memorials*, 24. [10] *P. C. Reg.*, sec. ser., v. 183. [11] *Ibid.*, ii. 145; vi. 415. [12] *Ibid.*, vi. 481. [13] *Ibid.*, vi.

Deskford at first adhered to the King, then finally joined the Covenant.[1] But he was no enthusiast. At the first Raid of Turriff in February 1639 he made strenuous efforts to bring about an accommodation between the two parties, headed respectively by Huntly and Montrose, 'being a man of a peaceable temper and one who was known to have no stomache for warre.'[2] His efforts were so far successful that the parties separated without bloodshed.

His only addition to the family estates was the church-lands of Fordyce, which he acquired in 1622 from Patrick, Bishop of Aberdeen.[3] In 1627 he sold to George Gordon of Tarpersie the lands of Blairshinnoch and Hiltown in the parish of Inverboyndie.[4]

On 20 February 1638 he was created EARL OF FINDLATER and LORD DESKFORD, with remainder to the heirs-male of his body succeeding to him in the estates of Findlater and Deskford.[5] On 18 October 1641 the Earl received a second patent from the Crown, setting forth that having no heir-male of his body, and his eldest daughter being united in marriage to Sir Patrick Ogilvy, younger of Inchemartine, he had granted to Sir Patrick the estates of Findlater and Deskford, failing heirs of his own body. It was accordingly declared that in the event of the death of the Earl without issue male, the title should continue in the person of Patrick and his heirs-male, and that they should be designed EARLS OF FINDLATER, LORDS OGILVY OF DESKFORD and INSCHEMAIRTENE, Patrick during his father-in-law's lifetime enjoying the title of Lord Deskfurde and Inschemairtene, with precedence as if he had been the eldest son of the Earl.[6] The terms of this second patent roused the ire of the Earl of Airlie and several other Peers, who supposed that Sir Patrick would claim precedence over them, under the first patent to his father-in-law. His Majesty, however, by a writ dated at York 29 November 1643, declared that such was not his royal meaning, as such precedence would be specially derogatory to James, Earl of Airlie, who, besides that he was an ancient nobleman, was also chief of the family and surname of the Ogilvys, and of his family the said Earl of

[1] Gordon's *Hist. of Scots Affairs*, i. 61. [2] *Ibid.*, ii. 213. [3] *Reg. Mag. Sig.*, 10 July 1623. [4] *Ibid.*, 15 November 1627. [5] *Ibid.* [6] *Ibid.*, 18 October 1641.

Findlater is descended. It was accordingly declared that Sir Patrick should take place and rank only according to the date of the patent in his own favour.[1]

During the course of the Civil War the Earl filled the post of Colonel of Foot for the shire of Banff,[2] and suffered severe losses, for which he was authorised to recoup himself out of the rents of the malignants.[3] Montrose, shortly before his victory over Hurry at Auldearne on 4 May 1645, passed through the Earl's territories, but by the address oft he Countess the estates were spared from devastation.[4] The Earl died in 1652.

The Earl married, first, Elizabeth Leslie, second daughter of Andrew, fifth Earl of Rothes, contract dated 13 and 17 February 1610.[5] He married, secondly, Marion Cunningham, fourth daughter of William, eighth Earl of Glencairn, *s. p.* She was married, secondly, 29 October 1660,[6] to Alexander, Master of Saltoun, and died in 1662. By his first wife the Earl had two daughters:—

1. Elizabeth, married to Sir Patrick Ogilvie, younger of Inchmartine, who succeeded his father-in-law as second Earl of Findlater.
2. *Anne*, married (contract 5 April 1637),[7] to William, ninth Earl of Glencairn, Lord High Chancellor of Scotland, with issue.

Sir Andrew Ogilvy of Inchmartine, the ancestor of Sir Patrick Ogilvy, younger of Inchmartine, who married Elizabeth, eldest daughter and heiress of James, first Earl of Findlater, was third son of Sir Alexander Ogilvy of Auchterhouse, Sheriff of Angus.[8] His wife Marjory was one of the three daughters and heirs-portioners of Sir John Glen of Balmuto, and of his wife, Margaret Erskine of Wemyss, and sister of Isobel Glen, the second wife of Sir Walter Ogilvy of Auchlevyn and Deskford, founder of the Findlater family. Sir Andrew is a witness to his mother-in-law Margaret's excambion with David of Wemyss of her part of Wemyss for David's half of Inchmartine and

[1] Airlie Writs quoted in Spalding's *Memorials of the Trubles*, 105 [2] *Acta Parl. Scot.*, vi. i. 52, 371; vi. ii. 30. [3] *Ibid.*, vi. i. 462, 603, 807. [4] *Britaine's Distemper*, 110. [5] *Reg. of Deeds*, clxxxii. [6] *Frasers of Philorth*, i. 187. [7] *Reg. Mag. Sig.*, 31 July 1637. [8] See vol. i. 109-110.

Petmedill.[1] On 22 February 1439 Sir Andrew and Marjorie his spouse excambed with David Bosvile of Craigincat their third part of Balmuto in Fife for David's half of Westir Drone in the same county.[2] In 1440 he acquired the half lands of Balhawal with the fishings in the shire of Forfar from Sir John Ogilvie of Lintrathen.[3] On 7 October 1444 he excambed certain lands in Fife with John of Wemyss for the latter's half of the lairdship of Inchmartine and his quarter of the Drone.[4]

He was on the committee of causes in the Parliament held at Edinburgh 1445.[5] He was alive in 1461, when he consented to a disposition by his son David.[6] He was married before 29 February 1439-40 to his wife Marjory, by whom he had :—

Sir David Ogilvy. There is an instrument taken at Perth 22 July 1443, on a contract to the effect that the son and heir of Andrew of Ogilvy of Inchmartyne, should within forty days wed Euphemia, the daughter of the deceased David of Wemyss,[7] but the marriage did not take place. On 18 November 1451 David, with consent of his father, granted an annualrent of two merks out of the half lands of Westirdon, in the shire of Fife.[8] His father and he entered into a submission with John Wemyss of that Ilk regarding the exchange between them of the lands of Inchmartyn and Wemysschire, dated at Perth 13 May 1456.[9] Several other deeds relating to the sale or exchange of land were entered into by the same parties at that period.[10] On 18 June 1469 David entered into a bond of manrent with Laurence, Lord Oliphant.[11] On 14 October 1472 he sold the lands of Petconochy to William Haket of Petfurrane,[12] and on 28 April 1473 the lands of Strathardill in the shire of Perth to John Stewart of Forthirgill.[13] In 1474 an arrangement was entered into between Sir John Achinlek of that Ilk and David Ogilvy of Inchmartyn by the good offices of friends, and to complete a contract made between their fathers, Sir James of Achinlek and Sir Andrew of Ogilvy,

[1] Melville's *Earls of Melville*, iii. 20. [2] *Reg. Mag. Sig.*, 29 February 1439-40. [3] *Ibid.*, 12 November 1440. [4] *Wemyss Book*, iii. 27. [5] *Acta Parl. Scot.*, ii. 60. [6] *Wemyss Book*, ii. 268; *Reg. Mag. Sig.*, 10 August 1468. [7] *Wemyss Book*, ii. 65. [8] *Reg. Mag. Sig.*, 22 May 1452. [9] *Wemyss Book*, ii. 75. [10] *Ibid.*; *Reg. Mag. Sig.*, 10 August 1468. [11] *The Oliphants in Scotland*, 15. [12] *Reg. Mag. Sig.* [13] *Ibid.*, 7 May 1473.

as the result of which David acquired eight merks of the lands of Barres in the barony thereof and shire of Kincardine.[1] On 17 October 1483 David successfully pursued John of Moncrief of that Ilk for payment of an annualrent of twelve merks out of the barony of Moncrief.[2] On 30 April 1489 he sold to Stephen Lockhart, 'armiger' ancestor of the Lockharts of Cleghorn, the third part of the two parts of the lands of Cleghorn in the lordship of Killbryde and sheriffdom of Lanark.[3] On 30 April 1492, with consent of his spouse Mariota Hay, he mortified to the Friars Minorites at Dundee twelve merks yearly from the lands of Petmedill and Inchmartyn' for the benefit of the souls of Andrew Ogilvy his father and 'Mariote' Ogilvy his mother. On 2 December 1494 Archibald, Earl of Angus, Chancellor of Scotland, sued David for the wrongous detention of the profits of the lands of Barras for five years, while David brought an action against John Auchinleck of that Ilk to warrant him in said rents.[5] On 13 August 1500, with consent of his spouse, he granted to his son James Ogilvy of Balgally the lands of Westir and Eastir Inchmartyn, and others, in the barony of Inchmartyn, the superiority of the lands of Strathardill in the barony of Dounie, and the lands of Balgawy in the barony of Insture, reserving his own and his wife's liferents.[6] He died before 6 January 1506.[7]

He married a lady called Mariota Hay, though of what family is unknown. By her he had at least one son,

James Ogilvy of Balgally, afterwards of Inchmartine. Under the designation of James Ogilvy of Balgally, on 13 August 1500, he received a charter of Inchmartyn from his father and mother.[8] He was killed at Flodden, 1513.[9] He married Isabella Oliphant,[10] and had by her:—

(1) PATRICK, who succeeded.
(2) *Thomas.*[11]
(3) *Andrew.*[12]

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[1] Reg. Ho. Charters, Nos. 445-450. [2] *Acta Auditorum*, 126*. [3] *Reg. Mag. Sig.*, 23 September 1489. [4] *Ibid.*, 6 October 1505. [5] *Acta Auditorum*, 188. [6] *Reg. Mag. Sig.*, 21 September 1500. [7] *Fifth Rep. Hist. MSS. Com.*, App. 620, Kinnaird Papers. [8] *Reg. Mag. Sig.*, 21 September 1500. [9] *Seventh Rep. Hist. MSS. Com.*, App. 711, Atholl Papers. [10] *Reg. Mag. Sig.*, 24 February 1512-13. [11] *Acts and Decrees*, x. 288. [12] *Ibid.*, xix. 88.

(4) *Jonet*, married to John Kinnaird of that Ilk.[1]
(5) *Agnes*, married to Thomas Gourlaw of Ballindane.[2]
(6) *Egidia*, married to John Muncreiff of that Ilk.[3]

PATRICK OGILVY had a charter from his father 14 January 1509, to himself and his wife, of the western part of his lands of Balgally and others in the barony of Inchmartine.[4] On 4 November 1513 Patrick was retoured heir to his father.[5] Three days afterwards he received a Crown sasine of the barony of Inchmertyne, with the fishings of King's Insche on the water of Tay.[6] On 5 September 1521 he acquired from Andrew Kynnaird of that Ilk the lower fourth part of the lands of Kynnaird.[7] On 10 March 1538-39 he had a Crown grant of one-half of the lands of Ballgalle in the barony of Inchsture to himself and his wife Elizabeth Kynnaird.[8] On 29 April 1548 he acquired from Patrick Kynnaird of that Ilk the dominical lands of Drummye in the barony of Ballegarno and shire of Perth.[9] He married, first, Mariota Stewart, daughter of Thomas, Lord Innermeath, and secondly, Elizabeth, daughter of Andrew Kynnaird of that Ilk and Inchture.

His children, but whether all by the first marriage is not clear, were :—

1. WILLIAM, who succeeded.
2. *John*, who, in December 1568 received from Patrick, Bishop of Moray, Commendator of Scone, the lands of Durdie-Inglis or Nether Durdie, in the lordship of Scone.[10] John appears as a witness 15 May 1589.[11]
3. *Andrew*, called in the above charter to his brother John. On 20 September 1548 he received from his father a charter of the lands of Drymme, in the barony of Ballegarno.[12]
4. *Alexander*, a witness to a charter by his nephew Patrick on 7 June 1566.[13]
5. *David*.[14]
6. *Christian*, married in 1544 to James Moncur.

[1] *Reg. Mag. Sig.*, 23 June 1548. [2] *Ibid.*, 8 June 1550. [3] *Fifth Rep. Hist. MSS. Com.*, App. 620, Kinnaird Papers. [4] *Reg. Mag. Sig.*, 6 May 1510. [5] *Seventh Rep. Hist. MSS. Com.*, App. 711, Atholl Papers. [6] *Exch. Rolls*, xiv. 524. [7] *Reg. Mag. Sig.*, 6 December 1521. [8] *Ibid.* [9] *Ibid.*, 16 May 1548. [10] *Ibid.*, 1 March 1585-86. [11] *Ibid.*, 30 July 1590. [12] *Ibid.*, 31 January 1548-49. [13] *Ibid.*, 29 November 1570. [14] *Acts and Decreets*, viii. 629.

7. *Margaret*, married to Sir Patrick Hay of Meginch. (*See title* Kinnoull.)

WILLIAM OGILVY of Inchmartine was retoured heir to his father 25 May 1535.[1] He married Jonet, daughter of Patrick, Lord Gray, who survived him, and married, secondly, before 7 June 1566, James Sandilands of Cruvie.[2] By her William Ogilvy had issue:—

1. PATRICK, who succeeded.
2. *Thomas*, mentioned in the preceding charter. A witness in 1594.[3]
3. *Andrew*.[4]
4. *John* in Newtoun.[5]
5. *Elizabeth*, married in 1573 the son of her mother's second husband, John, son of James Sandilands of St. Monance or Cruvie.[6]

PATRICK OGILVY of Inchmartine. He was served heir to William his father on 14 May 1566.[7] On 20 March 1589 Patrick excambed with John, Earl of Atholl and Lady Mary Ruthven his spouse, the four-merk lands of Yrhartmoir in the barony of Lude for the lands of Petnacrie, belonging to the Earl, in the thanedom of Glentilt.[8]

During the course of his long life Patrick took an active part in public affairs,[9] and represented the county of Perth in Parliament.[10] He died before 24 May 1623.[11]

He married, first, Marion or Marjorie Gray, daughter of Patrick, Lord Gray, and widow of Patrick, Master of Ruthven.[12] The dispensation for the marriage is dated 12 April 1561. In it the relationship of the parties is stated to be in the third and third degrees,[13] each being third in descent from Andrew, Lord Gray, who died in 1514. Marjorie died in June 1582.[14] He married, secondly, Elizabeth

[1] *Retours, Perth*, 16. [2] *Reg. Mag. Sig.*, 29 November 1570; see also vol. i. 77, where she is incorrectly stated to be the daughter of Andrew, Lord Gray. [3] *P. C. Reg.*, v. 637. [4] Perth Hornings, 13 September 1683; *P. C. Reg.*, iii. 437. [5] *Reg. of Deeds*; *P. C. Reg.*, v. 645. [6] *Reg. of Deeds*, xii. 293. [7] *Seventh Rep. Hist. MSS. Com.*, App. 715, Atholl Papers. [8] *Ibid.* Note reference to p. 712 which identifies Ogilvy of Luyde with Inchmartine. [9] *P. C. Reg.*, iii.-x. inclusive. [10] *Acta Parl. Scot.*, iv. 194, 593. [11] *P. C. Reg.*, xiii. 232. [12] Gray Inventory; *Reg. of Deeds*, vi. 19; *Reg. Mag. Sig.*, 29 November 1570. [13] Gray Charters. In the *Third Rep. Hist. MSS. Com.*, 411, Ochtertyre Papers, the relationship is incorrectly given as the third and fourth degrees. [14] Edin. Tests.

Butter, relict of Patrick Stewart of Stuikis, Laird of Ballechin. She 'decisit in the Place of Inchmertene in the Kerss of Gourie' in May 1590, her executor being her son James Stewart, then of Stuikis, Laird of Ballechin.[1] He married, thirdly, Geills Seytoun, who died 5 February 1601, will dated 26 September 1598, her husband being her executor-nominate.[2]

His children, all apparently by the first marriage, were:—

1. PATRICK, whose son Patrick succeeded his grandfather.
2. *Colonel William*, who died before 25 June 1607, leaving a son, *Patrick*.[3]
3. *James*.[4]
4. *Thomas*.[5]

PATRICK Ogilvy, apparent of Inchmartine, died 21 November 1592[6] *vitâ patris*. He married Margaret, daughter of Sir James Halyburton of Pitcur. She married, secondly, Sir George Hay of Nether Liff,[7] first Earl of Kinnoull.

Their children were:—

1. SIR PATRICK, who succeeded his grandfather.
2. *Andrew*.[8]
3. *Marjory*,[8] married (contract dated 29 July 1605)[9] to Andrew Winton, eldest son of Thomas Winton of Strathmartin.
4. *Elizabeth*.[8]
5. A daughter.[8]

SIR PATRICK OGILVY of Inchmartine. On 21 August 1624 he was served heir of James Ogilvy of Balgallie, his great-great-great-grandfather, in the superiority of Strathardill, in the barony of Downe.[10] On 15 May 1628 he acquired the barony of Caputh in Perthshire from Francis, Earl of Erroll.[11] On 29 July 1648 he had a charter of *novodamus* of the lands of Errol.[12] In that year he was one of the Colonels of Foot for Perthshire.[13] He died 30 March 1651.[14]

He married (contract 20-25 February 1609) Anne, third

[1] Edin. Tests. [2] *Ibid.* [3] Forfar Inhibitions; *Deeds*, cccv. [4] *P. C. Reg.*, vii. 548. [5] *Perth Sas. Sec. Reg.*, vi. 93. [6] Edin. Tests. [7] *Reg. Mag. Sig.*, 8 January 1161. [8] Referred to in their father's testament-dative. [9] *Reg. of Deeds*, ccxxv., 30 July 1614. [10] *Perth Retours*. [11] *Reg. Mag. Sig.*, 29 July 1648. [12] *Ibid.* [13] *Acta Parl. Scot.*, vi. ii. 30. [14] Retour, Dupplin Charters.

daughter of Sir Duncan Campbell of Glenurquhy,[1] by whom he had issue:[2]—

1. Sir Patrick, of whom afterwards.
2. *William* of Murie.[3] He was buried in Holyrood 6 November 1669,[4] and left issue:—
   (1) *Patrick*, who succeeded to Murie.
   (2) *William*, who had a charter of the fee of the lands of Drumadertie and others 29 July 1648.[5]
   (3) *Elizabeth*, married to George Nisbet, fencing-master, Edinburgh.[6]

III. Sir Patrick Ogilvy, younger of Inchmartine, son of the preceding, was married to Elizabeth Ogilvy, the eldest daughter and heiress of James, Lord Ogilvy of Deskford (*see above*, p. 30), and from 18 October 1641 he was, as previously explained, known as Lord Deskford. Under that title he was served heir to his father in the lands and baronies of Erroll, Inchmartine, and Dronlaws 5 October 1652.[7] The estate of Inchmartine was sold in that year to Sir Alexander Leslie, first Earl of Leven. Upon the estate becoming the property of the Earl, he changed its name to Inchleslie.[8] Lord Deskford succeeded to his father-in-law as second Earl of Findlater in 1652. On 12 April 1654 he was fined £1500 by Cromwell.[9] He died 30 March 1658.[10] His children were:—

1. James, third Earl.
2. *Elizabeth*, who, on 26 August 1657, had a charter from Alexander Innes, younger of Fedderate, as his future spouse.[11]

IV. James, third Earl of Findlater. He was served heir to his father in the lands of Cassingray 15 April 1662,[12] and to his grandfather, Sir Patrick of Inchmartine, in the lands of Grange of Airlie 26 October 1675.[13] He was a Commissioner of Excise and Justice of the Peace for the county of Banff,[14] and at the Revolution of 1689 received a commission to call together the heritors and fencible men of Banffshire.[15] On 9 January 1667 he protested in Parliament for precedence

[1] *Reg. Mag. Sig.*, 8 January 1611. [2] *Reg. of Deeds*, clxxx., 11 December 1610. [3] *Privy Seal (Eng.) Reg.*, iv. 288. [4] Canongate Register. [5] *Reg. Mag. Sig.* [6] *Gen. Reg. of Inhib.*, 15 November 1673. [7] *Perth Retours.* [8] *Reg. Mag. Sig.*, 3 June 1650. [9] *Acta Parl. Scot.*, vi. ii. 820. [10] Crawfurd, *voce* Findlater. [11] *Aberdeen Sasines*, xix. 360. [12] *Fife Retours.* [13] *Forfar Retours.* [14] *Acta Parl. Scot.*, vii. 93, 508. [15] *Ibid.*, ix. App. 2.

of the Earl of Airlie, a protest which was regularly repeated down to the Union.[1] He voted for the Treaty of Union throughout its various stages.[2] He died in 1711.

He married, first, about 1658, Anne Montgomery, relict of Robert Seton, son of Sir George Seton of Hailes. She was the only child of Hugh, seventh Earl of Eglinton, by his first wife Anne Hamilton.

The Earl married, secondly, Mary, third daughter of William, second Duke of Hamilton, who was killed at the battle of Worcester in 1651. She had been married previously, first, in 1663, to Alexander, third Earl of Callender, and secondly, in 1690, to Sir James Livingstone of West Quarter, who died in November 1701. She died *s. p.* before August 1705.[3] The issue by the first marriage were :—

1. *Walter*, Lord Deskford, who died *vitâ patris* before June 1698, unmarried.
2. James, who succeeded as fourth Earl.
3. *Colonel Patrick* of Lonmay and Inchmartine, M.P. for the burgh of Cullen 1702-8, Elgin Burghs 1708-10. He steadily supported the Union, and was one of the original members in the first Parliament of the United Kingdom. In 1717 he acquired the ancestral estate of Inchmartine, which had been sold in 1650 by his ancestor Patrick, Lord Deskford, to Sir Alexander Leslie, first Earl of Leven. The colonel restored to the estate its original title of Inchmartine. In 1732 he sold Lonmay to Archibald Ogilvy of Rothiemay, heir-male of the Ogilvies of Boyne, which family is now represented by Sir William Ogilvy Dalgleish, Bart., of Errol. He died at Inchmartine 20 September 1737, in his seventy-second year. He married his cousin Elizabeth, daughter of the Hon. Francis Montgomerie of Giffen, second son of Hugh, seventh Earl of Eglinton. By her, who died at Grange, Gateside, 29 June 1753, he had issue :—

(1) *James*, born 24 July 1709.
(2) *Francis*, born 11 September 1710.
(3) *Colonel Patrick*, born 24 March 1712. He married Mary,

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[1] *Acta Parl. Scot.* [2] *Ibid.* [3] Pedigree, Lyon Office.

only daughter of the above Archibald Ogilvy of Rothiemay, whose son James of Rothiemay, having sold that estate, purchased the barony of Inchmartine from his brother-in-law.

(4) *Hew*, baptized 30 July 1668.[1]

(5) *Mary*.

(6) *Anna*,[2] styled in her marriage-contract, dated 19 October 1698, the second daughter, married to George Allardice of that Ilk, with issue. She died 27 August 1735, and was buried in the Chapel Royal at Holyrood.

V. JAMES, fourth Earl of Findlater, was born 11 July 1663. Being a younger son he followed the legal profession, and was admitted advocate 16 January 1685. In 1689-95 he represented the burgh of Cullen in Parliament, and distinguished himself by his adherence to the cause of King James; he was one of the five who entered their dissent against the Act of Forfaulture. He subsequently took the oaths to King William and Queen Mary, and had a successful practice at the bar. In 1693 he was knighted and appointed Solicitor-General and Sheriff of Banffshire. In January 1696 he was made conjunct Secretary of State along with the Earl of Tullibardine on the dismissal of James Johnston, son of Sir Archibald Johnston of Warriston. By letters patent dated 24 June 1698 he was created VISCOUNT SEAFIELD and LORD OGILVY OF CULLEN, with remainder to the heirs-male of his body, whom failing, to his other heirs of entail, and was appointed president of the Parliament which met at Edinburgh on 16 July 1698. At this period of his career he was extremely popular among his countrymen, but his hostile attitude to the Darien scheme, in the success of which nearly every family in Scotland was interested, procured him many enemies. He was Lord High Commissioner to the General Assembly of the Church in 1700. On 24 June 1701 he was created EARL OF SEAFIELD, VISCOUNT OF REIDHAVEN, and LORD OGILVY OF DESKFORD AND CULLEN, with a similar remainder to that mentioned above. He retained the Secretaryship of Scotland throughout all those promotions, and by a new commission under the Great Seal 12 May 1702 he was appointed by Queen Anne joint secretary along with the Duke of Queensberry, and in the same year he

[1] Cullen Baptisms. [2] *Ibid.*

was appointed one of the commissioners to treat for a proposed union between the kingdoms, which came to nothing. On 1 November 1702 he was appointed Lord High Chancellor of Scotland and Lord High Commissioner to the General Assembly which met at Edinburgh 10 March 1703. In 1704 he was ousted from the Chancellorship by the Marquess of Tweeddale, but on 17 October in that year he was made Joint Secretary of State with the Earl of Roxburgh. On 9 March 1705 he recaptured the Chancellorship from Tweeddale, and in March 1706 he was appointed one of the commissioners to treat with England for a union. The proposals on this occasion, mainly owing to his indefatigable industry, ability, and address, were carried to a successful conclusion. Naturally the Chancellor occupies a leading place in the literature of these stirring times, and pen-and-ink portraits of him abound in the memoirs of the period. He was chosen in 1707 as one of the sixteen Representative Peers of Scotland, and was continuously re-elected until 1727. In 1707 he was appointed Lord Chief Baron of the Court of Exchequer. On succeeding his father as fourth Earl of Findlater in 1711 he adopted the title of Earl of Findlater and Seafield. In 1713 he introduced into Parliament a motion for the repeal of the union, the chief grievance being the Malt Tax. It was only lost by a majority of four. In 1713 he was appointed Keeper of the Great Seal of Scotland. He died 15 August 1730, aged sixty-six, and was buried at Cullen.

He married Anne, daughter of Sir William Dunbar of Durn, in 1687, she being in her sixteenth year.[1] She died at Cullen 14 August 1708, having had issue by her husband:—

1. James, fifth Earl of Findlater.
2. *William*, born 6 May 1699, died young.
3. *George*, admitted advocate 15 January 1723, died unmarried in January 1732.
4. *Elizabeth*, married Charles, sixth Earl of Lauderdale (proclaimed 15 July 1710),[2] with issue. She died at Bath 24 September 1778.
5. *Janet*, married, first, to Hugh, eldest son and heir-apparent of Sir William Forbes of Craigievar; secondly, in 1719, to William Duff of Braco, afterwards

[1] *Complete Peerage.* [2] Canongate Reg.

Earl Fife *s. p.* She died 1722, and was buried at Banff.

VI. JAMES, fifth Earl of Findlater, and second Earl of Seafield, was committed prisoner to the Castle of Edinburgh on the breaking out of the Civil War of 1715. He was retoured heir-general of his father James, fourth Earl, 19 October 1731.[1] He was appointed one of the Lords of Police in Scotland 1734; Vice-Admiral of Scotland 1737. He was one of the sixteen Representative Peers of Scotland 1734-54. He was a uniform supporter of George II.'s ministry, and while the Duke of Cumberland's army was on its way to Culloden, he made handsome provision for the troops. He died at Cullen House 9 July 1764, in the seventy-fifth year of his age. He married, first, about 1714, Elizabeth Hay, second daughter of Thomas, sixth Earl of Kinnoull; secondly, in December 1723, Sophia Hope, born 31 May 1702, eldest daughter of Charles, first Earl of Hopetoun. By her, who died at London 25 April 1761, he had no issue.

By his first marriage the Earl had:—

1. JAMES, who succeeded as sixth Earl.
2. *Margaret*, married, as his second wife, at Cullen, 31 October 1735, to Sir Ludovic Grant of Grant. Her issue ultimately succeeded to the earldom of Seafield. (*See that title.*)
3. *Anne*, married at Cullen, 14 September 1733, to John, second Earl of Hopetoun. She died at Hopetoun House 8 February 1759.

VII. JAMES, sixth Earl of Findlater and third Earl of Seafield, was retoured heir of line, tailzie, and provision-general to his father James, fifth Earl, 14 November 1764.[2] He was appointed one of the Commissioners of Customs in Scotland 29 July 1754, resigned 1761. In 1765 one of the Lords of Police in Scotland. One of the trustees for the improvement of fisheries and manufactures, and for the management of the annexed estates in Scotland. He was an enthusiastic agriculturist, and practically transformed the face of his territories. A sober eulogist writes that to

[1] *Service of Heirs.* [2] *Ibid.*

him appertained 'the exclusive merit of introducing into the north of Scotland those improvements in agriculture and manufactures, and all kinds of useful industry, which in the space of a few years raised his county from a state of semi-barbarism to a degree of civilisation equal to that of the most improved districts of the south . . . he succeeded to an extent altogether unparalleled in the annals of domestic improvement, and his name is still a household word over the north of Scotland, being regarded as that of a man who in his day and generation proved himself one of the most substantial benefactors of his species.' He died at Cullen House 3 November 1770, in his fifty-sixth year.

He married, at Huntingtower, 9 June 1749, Mary, second daughter of John Murray, first Duke of Atholl, and by her, who died at Banff Castle 29 December 1795, had two sons:—

1. James, seventh Earl.
2. *John*, died 1763.

VIII. James, seventh Earl of Findlater and fourth Earl of Seafield, born at Huntingtower 10 April 1750. Was a student at the University of Oxford when he succeeded to the title. He died *s. p.* at Dresden 5 October 1811, aged sixty-one.

Married at Brussels, 1729, Cristina Teresa, daughter of Joseph, Count Murray of Melgum, in the Holy Roman Empire, Baronet of Nova Scotia, Councillor of State and Lieutenant-General of the armies of the Emperor. She died, aged fifty-eight, in Charles Street, Marylebone, 24 May 1813. At his death the Findlater and Deskford honours became dormant, but the earldom and viscountcy of Seafield devolved under the specific remainder in their respective creations.

Creations.—Lord Ogilvy of Deskford 4 October 1616; Earl of Findlater and Lord Deskford 20 February 1638; Viscount of Seafield and Lord Ogilvy of Cullen 24 June 1698; Earl of Seafield, Viscount of Reidhaven and Lord Ogilvy of Deskford and Cullen 24 June 1701.

Arms, recorded in Lyon Register.—Quarterly: 1st and 4th, argent, a lion passant guardant gules, crowned with

an imperial crown or, for *Ogilvy*; 2nd and 3rd, argent, a cross engrailed sable, for *Sinclair*.

CREST.—A lion rampant gules holding in his paws a plummet or.

SUPPORTERS.—Two lions rampant or, armed gules.

MOTTO.—*Tout jour.*

[A. R.]

FORBES, LORD FORBES

TRADITION assigns various origins to the name and sept of Forbes. One writer traces them from the year 870 and beyond. Others assign to them a descent from the royal blood of Ireland, a variation of this being a descent from a certain O'Connor or Ochonochor, who is said to have come to Scotland in the days of Malcolm Canmore. From his three sons the Forbeses, the Urquharts, and the Mackays claim to be derived. It has also been alleged that the Scottish family of Forbes is an offshoot from the Irish sept of MacFirbis. But such traditions are not definitely substantiated, and may be left for discussion to the pages of a family history.[1] It seems on the whole most probable that Forbes, as a personal name, was assumed from the lands of that name in Aberdeenshire. These are said to have been in possession of the family since the time of King William the Lion,[2] or if this is not proved, the lands appear not much later in the hands of a

[1] Macfarlane's *Gen. Coll.*, ii. 209, 210; *Earls of Granard*, 292, 293; Mackay's *Urquhart and Glenmoriston*, where the various traditions may be read. [2] This statement is founded on erroneous evidence. Wood in his edition of Douglas's *Peerage* quotes a charter in Macfarlane's collection by which Alexander, Earl of Buchan, granted to Fergus, son of John of Forbes, the lands and tenement of Forbes. The original charter at Castle Forbes, however, shows that the charter is to *John de Fothes*,

Forbes

DUNCAN FORBEYS, who, in terms of a charter quoted by Sir John Skene in 1593, received from King Alexander the holding or tenement of Forbeys. A later writer (about 1667), Mr. William Forbes of Leslie, adds that the grant was made in the twenty-third year of King Alexander III., or about 1271.[1] The writ was still in existence some little time before 4 February 1730, when Lord Forbes wrote to the Comte de Forbin[2] that he had seen the charter, which he describes, and that though it was then apparently mislaid he hoped to find it again. Duncan Forbeys or Forbes is thus the first of his name on historical record. The next of the name who has been found is

JOHN FORBES or FORBEES, whose name occurs in an English roll dated about 1306, containing a list of demands made by English and Scottish partisans of King Edward I. for lands which, being forfeited by Scotsmen, they desired to be divided among themselves. The lands of John Forbes or Forbees were coveted both by Robert Chival and by William Comyn, but their locality is not stated.[3] No other reference to this John Forbes has been found, unless he is identical with a John de Fernboys who did homage to Edward I. on 14 March 1295-96,[4] but whose name does not again occur.

son of Fergus de Fothes, or Fiddes, and is an old muniment of the lands of Fiddes which were acquired by Sir Alexander Forbes in 1436. Further, the writ is alleged to be of date 1236, whereas it must be after 1260, and probably several years later (*Antiq. of Aberd. and Banff*, iii. 112). John Comyn, eldest son of the Earl, is a witness, and he was born only about 1260. [1] Skene, *De Verborum significatione, sub voce* '*Liberum Tenementum*'; Macfarlane's *Gen. Coll.*, ii. 209. [2] The Marquis de Forbin d'Oppède, the head of the French family of Forbins, claims his origin in direct descent from the Scottish family of Forbes, through Peter de Forbes (or Pierre de Forbin), son of an alleged Alexander Forbes, Governor of Urquhart Castle. After travelling some time in Italy, Peter established himself in France, and settled in Provence—the name of Forbin being quite unknown there before the fourteenth century—where he married in 1325 Frances d'Argoult, 'a lady of the most ancient and most illustrious houses in France,' while to Peter was given the title of 'Seigneur magnifique et généreux.' The house of Forbin in Provence have for their arms—'d'azur au chevron d'argent accompagné de trois têtes de léopards.' At a subsequent period Palamède de Forbin, Governor of Provence, bore—d'or au chevron d'azur accompagné de trois têtes de léopards de sable, lampassées arrachées de gueules.' The Forbes motto is *Nec timide, nec temere*, and that of the Forbins *quo fortior metior* (*Notice sur la Maison de Forbin*, by Maury; *Les Ecossais en France*; Moreri, and Fam. MS.). [3] Palgrave's *Illust. Documents*, 312, 314. [4] *Ibid.*, 196; *Cal. Doc. Scot.*, ii. No. 730.

Sir Christian or Christin de Forbes, knight, is named in a grant to him, by King Robert Bruce, of a third part of the lands of Ardache, and a third of the lands of Skeith, in the barony of Deskford, co. Banff.[1] The original writ is dated at Scone 27 March, in the twentieth year of reign, 1325, and contains the only known reference to Sir Christian Forbes.

But while this is so, there are among the missing charters of King Robert I. two of about the same date as the writ cited, the first granting a third of Deskford, and the second granting a third of Ardach and a third of Skeith, both being directed to Sir Christin del Ard, knight.[2] A recent writer assumes that the two Sir Christians were one and the same.[3] Unfortunately only a note of this charter exists, and at present the evidence is incomplete, as the barony of Deskford was clearly divided into three parts, of which Sir Christian del Ard may have held one part, while Sir Christian Forbes had another third. But could del Ard be proved identical with Sir Christian Forbes, it would go far to solve a puzzle as to the origin of the family of Forbes.

So remarkable is the coincidence, not only between the charters, but also between the traditional history of the Forbeses, and the actual history of the del Ards at this period, that the latter may be briefly traced. Stripped of fictitious details, the family tradition, which does not claim an ancestry older than the days of Bruce, asserts that their progenitor held Urquhart Castle for King Robert, and was slain with his garrison by the troops of King Edward of England. Whether this be so or not, on 25 July 1297 a writer, who is believed to be William Fitzwarine,[4] then the Constable of Urquhart Castle, wrote to King Edward I., stating that a certain noble John del Ard, to whom he was indebted for his personal safety and the lives of his children, had a son a prisoner at Corfe Castle named Cristin, who was made prisoner in the retinue of the Earl of Ross.[5] The writer begs that this son may be sent to his assistance at Urcharde, as his appearance there will have the effect of

[1] *Antiq. of Aberd. and Banff*, iv. 760. [2] Robertson's *Index*, 16, Nos. 11, 12. [3] *History of Beauly Priory*, by E. Chisholm Batten. Grampian Club, 85. [4] *Rot. Scotiæ*, i. 41. [5] At Dunbar. Cristin del Arde was, on 16 May 1296, ordered to be warded in Corfe Castle (*Cal. Doc. Scot.*, ii. No. 742).

winning the country to his side, and gaining for the King favour with the inhabitants.[1] The request was not granted, and Cristin del Ard remained in England until 1301-2, when he was conducted to Berwick and probably liberated.[2] He is named in the roll of 1306, already cited, as among the intending invaders of Scotland, demanding the lands of Laurence de Strathbogie and others.[3] It may be added that Sir Christian del Ard was one of the leaders at Halidon, and probably was killed there. He had a son John, who is named in a charter dated between 1315 and 1325.[4]

Here it is to be noted that at the period named in tradition there are three generations, John del Ard, and Christian his son (both connected with Urquhart Castle), and John son of Sir Christian, of whom nothing further is known, by the name of del Ard at least. These correspond to the John Forbees of 1306, the Sir Christian of 1325, and the John Forbes referred to below. All this may be a mere coincidence, not to be unduly pressed and another origin has been suggested, namely, that the Forbeses may have been connected with the family of De Bois or de Bosco, one of whom was the husband of an heiress, and owned the third part of the Byset lands.[5] But the information available is so incomplete that no definite conclusion can as yet be formed upon the subject.

After Sir Christian de Forbes, the next on record is

John de Forbes, *dominus ejusdem*, who appears as a witness to two charters granted by Thomas, Earl of Mar, in 1358 and 1359,[6] and had confirmation of charters of various lands from King David II. and King Robert II. On 3 July 1364 King David II. confirmed a charter by Thomas, Earl of Mar, to John de Forbes of the lands of Edinbanchory and Craiglogy.[7] On 15 November 1374 another charter was granted in confirmation of the same lands.[8] In the same year he was acting as Sheriff of Aberdeen in place of Alexander Fraser of Philorth.[9] On 18 July 1378 he had a charter

[1] *Cal. Doc. Scot.*, No. 923. These facts about John del Ard and his son were not known to Mr. Chisholm Batten. [2] *Ibid.*, No. 1602. [3] Palgrave's *Documents*. [4] *History of Beauly Priory*, 79, 80. [5] *Ibid.*, 85, 86. [6] *Antiq. Aberd. and Banff*, iv. 716, 717. [7] Charter at Castle Forbes, abridged *Antiq. Aberd. and Banff*, iv. 373. [8] *Misc. Maitland Club*, i. [9] *Exch. Rolls*, ii. 426. In the *Cartulary of St. Nicholas, Aberdeen*, i. 18, 'Dominus

from the Bishop of Moray to him and to Margaret his wife of the lands of Fynrossie on the loch of Spynie.[1] He died before 20 August 1387, and was described as 'a gude man, wise, mychty, and manly in his tyme.'[2] He was succeeded by his son,[3]

Sir John de Forbes, knight. He is mentioned as Lord of Forbes, 20 August 1387,[4] as knight in a letter from King Robert III. 6 April 1391,[5] in which a perambulation of the boundaries of certain lands belonging to the Bishop of Aberdeen on the one part, and the lands of Forbes on the other, is ordered. In 1394 he was appointed Justiciary and Coroner of Aberdeenshire.[6] On 2 January 1404-5 he made a certain payment to Alexander Stewart, Earl of Mar, as directed by a Court held by the Duke of Albany.[7] His name frequently appears as witness to charters up to May 1406, but before 20 November of that year he was succeeded by his eldest son.[8] He is said to have married Elizabeth or Margaret Kennedy of Dunure,[9] by whom he had four sons:—

1. Sir Alexander.
2. *Sir William Forbes*, ancestor of Lord Pitsligo. (*See that title.*)
3. *Sir John Forbes*, who obtained the thanedom of Formartin and lands of Tolquhoun by marriage with Mariota, daughter and heir of Sir Henry Preston of Formartin, knight, widow of Alexander Chisholm,[10] and was ancestor of the Forbeses of Tolquhoun, Foveran, Watertoun, Culloden, and others.

Alexander de Forbes de eodem miles,' is said to have gifted, in 1362, to the chantry of St. Ann in church of St. Nicholas, Aberdeen, 'a vestment of velvet embroidered with gold.' It is difficult to understand who this Sir Alexander Forbes is. It has been suggested that he was the son of Alexander Forbes, the Constable of Castle Urquhart, but the existence of that personage is nowhere proved. It may be permitted to believe that there is some mistake, and that the entry refers to Sir Alexander afterwards first Lord Forbes, who gave a 'cappa' of green velvet to the Church of Aberdeen (*Reg. Epis. Aberdonensis*, ii. 141). [1] *Antiq. Aberd. and Banff*, iv. 374; *Misc. Maitland Club*, i. 379. [2] *Reg. Epis. Aberd.*, i. 176, 349. [3] *Antiq. Aberd. and Banff*, iv. 378. [4] *Reg. Epis. Aberd.*, i. 176; *Antiq. Aberd. and Banff*, iv. 378. [5] *Reg. Epis. Aberd.*, i. 187. [6] Crawfurd's *Peerage*, 146. [7] *Antiq. Aberd. and Banff*, iv. 170; original at Castle Forbes. [8] *Ibid.*, 381. [9] Crawfurd's *Peerage*, 146; she is referred to by both names. [10] Dispensation, 1 March 1421; *Papal Letters*, vii. 178.

4. *Alaster*, styled 'Alaster Cam,' who married, about 1409, Katharine, the daughter and heiress of Sir Henry Cameron of Brux, by whom he obtained that estate and was ancestor of the Forbeses of Brux, now represented by the families of Skellater and Inverernan. On 24 December 1409 he had a charter of the lands of Glencarve and others.[1] He died about 1466.

Sir John Forbes is also said to have had three natural sons:—

1. *Duncan*, ancestor of the family of Auchintoul.
2. *Malcolm*, ancestor of Culquhary and others.
3. *John*, a man of violence, who, it is said, was killed by his brother Sir Alexander by command of the King.[2]

I. Sir Alexander Forbes acquired most of the possessions subsequently held by his family. He had a charter in his father's lifetime from Isabel of Douglas, Lady of Mar, of the lands of Edynbanchory and Craglogy, dated 8 November 1402, and confirmed by King Robert III. 23 June 1405.[3] Sir Alexander first appears as the Laird of Forbes 20 November 1406, when he is witness to a charter by the Duke of Albany.[4] In the year 1408 he was one of four Scottish chiefs who repaired to England[5] to tourney with English knights. On 31 October 1411 he had infeftment from William Fraser of Philorth in the lands of Meikle Fintray and others, in the barony of Kynedwart.[6] On the 24 May 1417 he had a charter from John, Earl of Buchan, of the lands of Fotherbirs in the lordship of Aboyne.[7] On 9 June and 14 October 1421 he had letters[8] of safe-conduct by Henry V. to England, with a large retinue, to appear before that monarch, and also to visit James I. of Scotland, then in Normandy.[9] In 1423 he had charter from Alexander, Earl of Mar, of the lands of Alford.[10] On 16

[1] *Reg. Mag. Sig.*, 12 August 1426. His seal, attached to a charter of 1427, shows a shield bearing ermine three bear heads couped and muzzled. Legend, 'Sigillum Alexandri Forbes' (*Scot. Armorial Seals*, No. 945). [2] Macfarlane's *Gen. Coll.*, Scot. Hist. Society, ii. 212, 245, 246. [3] *Antiq. Aberd. and Banff*, iv. 457, 458. [4] *Ibid.*, 381; *Reg. Mag. Sig.*, folio vol. 219. [5] Winton, bk. ix. ch. 27; ii. 421, 424. [6] *Antiq. Aberd. and Banff*, iv. 382, from original at Castle Forbes. [7] *Ibid.*, iv. 383. [8] *Rot. Scot.*, ii. 230, 244, 245. [9] *Fœdera*, Hague ed., iv. pt. iv. 24; *Exch. Rolls*, iv. 84. [10] *Misc. Maitland Club*, i. 378.

October 1423 he had a charter from Murdoch, Duke of Albany, Governor of Scotland, etc., of the lands and barony of Forbes, to him and Elizabeth of Douglas his wife.[1] On 4 November 1423 he had an obligation by his brother-in-law William, Earl of Angus, that he would not sell or alienate any of his lands, rents, or possessions to the prejudice of his sister or her heirs.[2]

On the 10 December 1423 he had a charter to himself and his wife of the lands of Meikle Fintry and others from John, Earl of Buchan.[3] On the 13 December 1423 and 3 February 1423-24 he had letters of safe-conduct by Henry v. to the presence of King James i. of Scotland, then at Durham. His going, no doubt, was to treat as to the King's ransom and liberation.[4] On 20 August 1425 he had a charter to himself and his wife from William, Earl of Angus, of the lands of Easter Cluny.[5] On 20 May 1426 he was bailie of the lands belonging to the Bishop of Moray, and in consideration of his diligence in his Majesty's affairs, King James i. appointed as his deputies in that office John of Narne and Richard Wiseman by letter of above date.[6] On 6 October 1430 he had a charter from King James i. to him and Elizabeth his wife of the barony of Forbes—with the lands of Kery (Kearn) and others in the earldom of Mar.[7] On 31 May 1432 Alexander Lindsay, Earl of Crawford, and Sir David Lindsay, his son, agreed with Sir Alexander Forbes that the latter should have the keeping of the Earl's lands and castle of Strathearn, in the shire of Inverness, during his life, for a yearly rent of £81, of which he was to retain £20 for his fee, and he was also to be the Earl's depute in the sheriffship of Aberdeen during his lifetime, paying for the office a yearly rent of £10.[8] On 17 November 1435 he covenanted to aid Sir Robert of Erskine and Sir Thomas, his son, to recover the earldom of Mar and Garioch then in the King's hands, for which he was to receive from them, within forty days of such recovery, the lordship of Auchindoir, with other subjects.[9] On 26 June 1436 he granted a

[1] *Antiq. Aberd. and Banff*, iv. 386, 387. [2] *Ibid.*, 387, 388, original in Charter-room, Castle Forbes. [3] Crawfurd's *Peerage*, 146. [4] *Rot. Scot.*, ii. 230, 244-245; *Antiq. Aberd. and Banff*, iv. 385, 386. [5] Fraser's *Douglas*, iii. 60. [6] *Antiq. Aberd. and Banff*, 389, 390, from original in Castle Forbes. [7] *Ibid.*, iv. 391, 392. [8] *Ibid.*, 393, from original at Castle Forbes. [9] *Ibid.*, iv. 188, 189.

charter to the chaplain of the parish church of Forbes of 12 merks yearly from the rents of certain lands, for celebrating services for the welfare of the souls of himself and Elizabeth Douglas his wife.[1]

On 12 December of the year last mentioned (1436)[2] he acquired from Andrew of Futhos the lands of Futhos (Fiddes) in the parish of Foveran. On 26 June 1439 he had a charter from Robert [Erskine], Earl of Mar, of the half of the lordship of Strathdee, in the said earldom.[3]

Under date 4 July 1440 the first notice of the family residence occurs,[4] when John of Kamloke and William of Ennerkype grant receipt for 151 merks 5 shillings in full of 200 merks 'that thai suld haf had for the makynn of the houss of Drumynour.'

On 26 March 1444 an indenture was made between Sir Alexander Forbes[5] and Robert the Lyle of Duchale, to the effect that when the latter recovered the half of the earldom of Mar, he should give to Forbes his part of the lands and castle of Strathdee and Kyndrocht, in exchange for the lands of Cluny and Quhitfield, in Stratherne and Angus. This indenture was confirmed by King James II. on 7 January 1447-48.[6]

Between October 1444 and July 1445 Sir Alexander Forbes, knight, was raised to the Peerage, as he is at the first date styled 'of that Ilk,'[7] and in a writ of 1 July 1445 he is styled LORD FORBES.[8] The last reference to this Lord Forbes is on 12 July 1447, when King James II. granted a precept in his favour to the Lords of Exchequer, remitting to him the arrears and remainder of his accounts.[9]

Alexander, first Lord Forbes, died in 1448; he married, before 1423,[10] Elizabeth, only daughter of George Douglas, first Earl of Angus, and granddaughter of King Robert III. She survived him, and married, secondly, Sir David Hay of Yester.[11] They had two sons and three daughters:—

1. JAMES, second Lord Forbes.

[1] *Reg. Epis. Aberd.*, i. 293. [2] *Misc.*, Maitland Club, i. 379. [3] *Antiq. Aberd. and Banff*, iv. 190, 191. [4] *Ibid.*, 395. [5] *Ibid.*, 194, 195. [6] *Ibid.*, 393, from original at Castle Forbes. [7] *Ibid.*, 340, 341; *Exch. Rolls*, v. 170. [8] *Acta Parl. Scot.*, ii. 59, 60. [9] *Misc.*, Maitland Club, i. 379. This date has been erroneously given in Wood's Douglas as 12 July 1442. Any argument as to Lord Forbes's precedency founded on the alleged earlier date is therefore untenable. [10] There is a disposition on record for the marriage of Alexander Forbes, Knight, and Elizabeth Fraser, 25 March 1421; *Papal Letters*, vii. 174. [11] *Douglas Book*, ii. 23.

2. *William*, Provost of the Church of St. Giles, Edinburgh.[1]
3. *Annabella*, married, before 1445, to Patrick, Master of Gray.
4. *Margaret*, married to the Laird of Fyvie.
5. *Elizabeth*, married to Alexander Irvine of Drum.

Another daughter, *Susanna*, is said to have married Sir William Urquhart of Cromarty.[2]

The first Lord Forbes had also a natural son *Mr. Richard*, who became Archdeacon of Ross, and held other offices.[3]

II. James, second Lord Forbes, succeeded his father in 1448.

On 4 October 1444 James of Forbes, son and heir of Sir Alexander Forbes, knight, gave a bond of manrent to Alexander of Seton of Gordon, from whom, on 30 September same year he had received a charter of Corsindawe, and other lands in the barony of Cluny.[4]

On 1 July 1445 he protested in Parliament that no sentence to be pronounced against James, Earl of Angus, should affect his right of succession to the lands of that Earl,[5] which was regulated by an entail made by the Earl of Angus of his estate, with a remainder, failing heirs of his own body, to James, Master of Forbes, son of his sister, Elizabeth Douglas. On 4 May 1456 Lord Forbes had a licence from King James II. to fortify the Tower of Drymynour, commonly called Forbes,[6] then the chief seat of the family, in the lordship of Forbes. He was one of the Lords of the Session appointed to sit at Aberdeen for the administration of justice, by the Parliament which met at Edinburgh in March 1457.[7] He was also named on a committee to inquire into the state of the hospitals in the diocese of Aberdeen.[8] On the 20 September 1460 he had a charter, 'Jacobo, Domino de Forbes, militi,' of the lands of Tullireoth, in the barony of Cluny, from Alexander, Earl of Huntly,[9] and he died not long afterwards; at least he died before 30 July 1462.[10]

[1] His seal, attached to a charter of 1496, shows a shield bearing three bears' heads erased and muzzled. Legend, 'S. Mager Wilim Forbs' (*Scot. Armorial Seals*, No. 946). [2] Douglas, *Baronage*. [3] Macfarlane's *Gen. Coll.*, Scot. Hist. Soc., ii. 213. [4] *Antiq. Aberd. and Banff*, iv., 340, 341. [5] *Acta Parl. Scot.*, ii. 59, 60. [6] *Antiq. Aberd. and Banff*, iv. 400, from original at Castle Forbes. The name Castle Forbes has since been transferred to what was Putachie. [7] *Acta Parl. Scot.*, ii. 47. [8] *Ibid.*, 49. [9] Confirmed *Reg. Mag. Sig.*, 24 February 1539-40. [10] *Exch. Rolls*, vii. 123.

He married Egidia, second daughter of William Keith, first Earl Marischal, who survived him, and was still a widow on 14 August 1473, when she exchanged her terce of 8 merks from the lands of Cluny, co. Perth, for so much from the lands of Forbes.[1] They had issue:—

1. WILLIAM, third Lord Forbes.
2. *Duncan*, mentioned in the *Acta Auditorum*, 13 February 1491, as brother of the deceased William, Lord Forbes. He married Christian Mercer, daughter of the Laird of Ballief, Provost of Perth, widow of Gilbert Skene of that Ilk.[2] He became ancestor of the Forbeses of Corsindae, and other families of the name. An account of the descendants of his second son, Duncan Forbes of Monymusk, is contained in Douglas's *Baronage*.
3. *Patrick*, designed by his mother 'our dearest sone' in the writ by her of 14 August 1473, already cited. He had a charter to Patrick Forbes, brother-german of William, Lord Forbes, of the King's lands, in the barony of O'Niel, viz. Coul, Kincraigy, and Corss, 10 October 1482. He became ancestor of Sir William Forbes of Craigievar, Bart., and of the Forbeses, Earls of Granard, in Ireland. An account of his descendants is contained in Douglas's *Baronage*.
4. *Mr. Alexander*, designed 'our sone' by Lady Forbes on 14 August 1473.
5. *Egidia*, married to Malcolm Forbes of Tolquhoun.

III. WILLIAM, third Lord Forbes, styled 'Gray Willie,' succeeded his father in July 1462. On 9 October 1464 he appeared as proxy for Alexander, Earl of Huntly, in the Parliament[3] which met at Edinburgh on that date. On 9 August 1467 he and the heads of the cadet houses of Pitsligo, Tolquhoun, and Brux entered into a mutual bond with Duncan Macintosh, chief and captain of the Clan Chattan, and his two brothers, for defence and protection against all, except the King and their respective overlords.[4] He sat frequently in the Parliaments which met between the years 1467 and 1488.[5] On 8 July 1468 he

[1] *Laing Charters*, No. 166. [2] *Reg. Mag. Sig.*, 23 May 1481; 7 July 1505; *Acta Dom. Conc.*, xii. f. 30. [3] *Acta Parl. Scot.*, ii. 84. [4] *Second Rep. Hist. MSS. Com.*, 194. [5] *Acta Parl. Scot.*, 87 *et seq.*

had a charter from the Earl of Huntly, his father-in-law, of the lands of Abergardene and others, for his manrent, etc.[1] On same date he gave bond of manrent for himself and his heirs in the lordship of Forbes to Alexander,[2] Earl of Huntly, and George, Lord Gordon, his son.[3]

Lord Forbes had orders, on 9 May 1473, from King James III. to deliver to William, Earl of Erroll, the roll of the persons belonging to him indicted to the next Court of Justiciary at Aberdeen. On 9 July 1477 he had confirmation of a charter granted in 1429 by King James I. of the barony of Forbes.[4] He died before 5 July 1483.[5]

He married Christian Gordon, third daughter of Alexander, first Earl of Huntly, by whom he had three sons and one daughter:—

1. Alexander, fourth Lord.
2. Arthur, fifth Lord.
3. John, sixth Lord.[6]
4. *Christian*, married, as his second wife, to William, first Lord Ruthven, and had issue.

IV. Alexander, fourth Lord Forbes. On 5 July 1483 Alexander, Lord Forbes, son and heir of William, Lord Forbes, was ordained to pay to Margaret, Lady Dirleton, 2000 merks, being the double of the casualty of his marriage, for his failing to marry Margaret Ker, Lady Dirleton's daughter.[7] He was a distinguished supporter of King James III., and attaching himself to the King's party he took up arms to revenge his death 1488.[8] He displayed, in Aberdeen, and other places in the north, the bloody shirt of the murdered sovereign, and summoned all good subjects to revenge. The flame of insurrection was suddenly extinguished by the defeat of the

[1] Confirmed 24 February 1539-40, *Reg. Mag. Sig.* [2] *Antiq. Aberd. and Banff*, iv. 405. [3] *Misc.*, Spalding Club, iv. 181. [4] *Antiq. Aberd. and Banff*, iv. 407. [5] *Acta Dom. Auditorum*, 113. [6] These are the only sons of the third Lord Forbes and Margaret Gordon on record, but it is said that General Baron Forbes, a distinguished soldier under Gustavus Adolphus, created a Baron in 1652, being presented with Kungsgärd as a barony, claimed descent from William Forbes and Margaret Gordon. The writer of the History of the Family of Rose thus refers to him: 'Artholdus Forbes, born in Finland, first a Colonell under the Swedes, then a Major Generall, Governour of Pomerania for the Swedes, nobilitate by Queen Cristiana, and created a Senator of Sweden' (*The Family of Rose of Kilravock*, 99). [7] *Acta Dom. Auditorum*, 113. [8] Pinkerton, ii. 8.

Earl of Lennox at Tullymoss, and Lord Forbes submitted to King James IV.[1] He died before 6 May 1491, without issue. He married Margaret Boyd, only daughter of Thomas, Earl of Arran, and niece of King James III. She was married, secondly, about 9 August 1509, to David, Earl of Cassillis.

V. ARTHUR, fifth Lord Forbes. On 6 May 1491 Arthur, Lord Forbes, was ordained to pay to the Bishop of Aberdeen the second teind of the lands of Drumminor and Fiddes.[2] On 16 May same year he was summoned to answer for presenting a parson, during the time he was in the King's ward, to the parsonage of Forbes, which had been assigned to the Lord Glamis.[3] He died in 1493,[4] having no issue by his wife Agnes, daughter of John, Lord Glamis,[5] who survived him, was married, secondly, to John Ross of Craigie, and died before April 1529.[6]

VI. JOHN, sixth Lord Forbes, succeeded his brother Arthur in 1493.[7] He had charters, 1 December 1505,[8] of the lands of Mekil Fintree and others in the barony of Kinedward, which hereditarily belonged to Alexander Forbes, knight, his great-grandfather, by infeftment from John Stewart, Earl of Buchan, Baron of Kinedward; to him and his heirs, 26 April 1509, of the hill and site of the castle of Kynedward, with leave to build a new castle;[9] to him and Christian Lundin, his (second) wife, of the barony of Fudes, 26 February 1509-10;[10] to him, of the lands of Quhitfield, in the barony of Kerymure, from Archibald, Earl of Angus, 6 March 1511-12;[11] to him and Elizabeth Barlay, his (third) wife, of the barony of Fudes (Fiddes), 29 July 1515;[12] and to him of the Kirktoun of Forbes, 18 July 1532.[13] He was imprisoned in Edinburgh Castle on a charge of treason in 1536,[14] and after a long confinement was honourably acquitted, his son, the Master of Forbes, however, being convicted and executed. He died 1547, having been three times married. He married, first, Catherine Stewart,

[1] *Acta Dom. Aud.*, 148. [2] *Ibid.* [3] *Ibid.*, 153, 154; *Regist. de Forbes.* [4] *Exch. Rolls*, x. 767. [5] *Acta Dom. Conc.*, 337. [6] *Reg. Mag. Sig.*, 24 July 1529. [7] *Regist. de Forbes.* [8] *Reg. Mag. Sig.* [9] *Ibid.* [10] *Ibid.* [11] *Ibid.* [12] *Ibid.* [13] *Ibid.* [14] Arnot, *Criminal Trials*, 2.

second daughter of John, Earl of Atholl, brother of King James II., and had by her one son and one daughter:—

1. *James*, who died young.
2. *Elizabeth*, married to John Grant of Freuchie.

Lord Forbes married, secondly, Christian, daughter of Sir John Lundin of Lundin, by whom he had issue:—

3. *John*, Master of Forbes, who obtained a remission for the slaughter of Alexander Seton of Meldrum 10 October 1530.[1] He was accused of high treason by George, Earl of Huntly, 12 June 1536,[2] was imprisoned in Edinburgh Castle, and tried before the Court of Justiciary 14 July 1537. It is said that his fate was brought about by the agency and influence of the Earl of Huntly.[3] Though he protested his innocence, he was found guilty on all the counts, and was sentenced to be executed, and to forfeit his lands and goods. He died on the scaffold 17 July 1537, by the axe, as a favour,[4] in place of being hanged, as was first ordered. He married Elizabeth, daughter of John Lyon, sixth Lord Glamis, about 27 June 1535, when she had a charter of Fintray and other lands from John, Lord Forbes.[5] This lady was married, secondly, to Thomas Craig, of Balnely or Balmalie, son of Alexander Craig of Craigston or Craig Fintray, and had issue a son *John*; thirdly, about 8 May 1548, to John Tulloch, portioner of Montcoffer, issue a daughter *Elizabeth*; fourthly, to Mr. John Abernethy, who was her husband in 1565.[6]
4. William, seventh Lord Forbes.
5. *Margaret*, married to Andrew Fraser of Muchalls.
6. *Elizabeth*, married, first, to Gilbert Keith of Troup; secondly, to Alexander Innes of Innes. She was alive 20 November 1554.[7]
7. *Marjory*, married to Alexander Forbes of Brux.[8]

He married, thirdly, Elizabeth Barley, or Barlow,[9] widow

[1] *Reg. Mag. Sig.* [2] Arnot, *Criminal Trials*, 1-6. [3] Calderwood's *History*, i. 112. [4] Pitcairn's *Trials*, i. 183, quoting Balfour. [5] *Reg. Mag. Sig.*, 30 June 1535. [6] *Acts and Decreets*, xxxvi. 21, xl. 181, 429; *Reg. Mag. Sig.*, 20 May 1548. [7] *Reg. Mag. Sig.* [8] He is by Douglas misnamed 'Gilbert.' The tomb of Alexander and Marjory, with its full-length recumbent figures, is in the old aisle of the Church of Kildrummy (Jervise's *Epitaphs and Inscriptions*, i. 262). [9] *Antiq. Aberd. and Banff*, iv. 224.

of Alexander, first Lord Elphinstone, killed at Flodden 1513, and by her had one son and one daughter.

8. *Arthur* Forbes of Putachie, also styled of Balfour, called 'Black Arthur,' killed at the battle of Tullieangus 1572.
9. *Janet*, married, first, in 1542, to John Stewart, third Earl of Atholl; secondly, to Alexander Hay of Delgaty; thirdly, to William Lesly of Balquhain. Janet Forbes, Countess of Atholl, had a charter of part of Balquhain from John Leslie of Balquhain, 9 January 1547-48.[1]

Lord Forbes had also a natural daughter *Annabella*, who married Mr. Matthew Lumsden of Tullicarn, author of a History of the Forbes family.[2]

VII. WILLIAM, seventh Lord Forbes, had charters to 'William, Master of Forbes,'[3] and Elizabeth Keith his wife, of the barony of Fiddes, 4 January 1538-39; and of the lands of Lare, 5 March 1539-40.[4] After the execution of his brother, King James v. admitted him into his favour, and appointed him one of the Gentlemen of his Bedchamber in 1539.[5] He had a charter to 'William, Master of Forbes,' son and heir of John, Lord Forbes, of the barony of Forbes and Alford and others, 8 August 1547.[6] He had a charter of Putachie and other lands from the Earl of Huntly dated 30 November 1559,[7] another from Queen Mary of Corsindae and other lands dated 20 June 1563.[8] He had a confirmation of the lands of Corsindae, etc., under the Great Seal, dated 17 September 1573.[9] He had a charter of apprising of the lands of Bochrayn 25 May 1579.[10] It was during the lifetime of this lord that the feuds arose between the Gordons and Forbeses about the possession of certain church lands, but these will be noted in the next memoir. He died in 1593, having married, in the Abbey Church of Lindores,[11] on 19 December 1538,[12] Elizabeth, daughter and co-heiress with her sister Margaret, Countess of Marischal, of Sir

[1] Confirmed 20 February 1547-48, *Reg. Mag. Sig.* [2] Macfarlane's *Gen. Coll.*, Scot. Hist. Soc., ii. 214. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] Pinkerton, ii. 346. [6] *Reg. Mag. Sig.* [7] *Penes* Lord Forbes. [8] *Ibid.* [9] *Ibid.* [10] *Reg. Mag. Sig.* [11] Protocol Book of R. Lawson, MS. Advocates' Library. [12] This date and the dates of the births of the children following, are supplied from a MS. history of the Forbes family (apparently by Mr. William Forbes of Leslie), *penes* Rev. A. Thomson Grant, Wemyss Castle.

William Keith of Inverugie, and had eight sons and eight daughters:—

1. *Alexander*, born 25 November 1539, but died young.
2. JOHN, Master of Forbes, afterwards eighth Lord Forbes.
3. *William* of Fodderbirse and Logy Fintray, born 2 March 1543-44, married Marjory, eldest daughter and co-heiress of Janet, daughter of Alexander Forbes of Tolquhoun, and relict of William Forbes of Corsindae, by whom he had issue. By a second marriage he had a son *James*, who married a daughter of William Forbes of Corsindae. William Forbes of Fodderbirse is mentioned amongst the members of his clan who were, in 1573, exempted by the Lords of Council and Session from the jurisdiction of the Earl of Huntly. He is also mentioned in the same cause in 1578.[1]
4. *Arthur* of Logie, born 3 April 1550, killed at Paris 1574.[2]
5. *James* of Lethinty, born 16 July 1551, married Margaret, eldest daughter and co-heiress of William Forbes, sixth Laird of Pitsligo, by whom he had issue.
6. *Alexander* (*secundus*) born 24 January 1552-53, and died young.
7. *Robert*, born 1 January 1555-56, Prior of Monymusk.
8. *Abraham* of Blacktoun, born 2 March 1558-59.
9. *Jean*, born 25 April 1541, married to James, Lord Ogilvy of Airlie.
10. *Elizabeth*, born 10 November 1545. She was offered in marriage to Alexander Ogilvie of Boyne, donator of her marriage. He was required to marry her in the church of Kearn on 1 November 1565, and on his failure to do so was sued for the double avail.[3] She was afterwards married, as his second wife, to Henry, Lord Sinclair.[4]
11. *Christian*, born 24 June 1547, married to George Johnston of Caskieben, and was mother, with twelve other children, of Dr. Arthur Johnston,

[1] *Antig. Aberd. and Banff*, v. 761, 763. [2] Gordon's *History of Gordons*, i. 381. [3] *Acts and Decreets*, xliii. f. 244. [4] Cf. *Reg. Privy Council*, 17 March 1603.

physician in ordinary to Charles I., well known for his poetical productions. She died in 1622.

12. *Isabel*, born 16 October 1548, married to John Gordon of Pitlurg. She was buried at Aberdeen on 22 March 1622.[1]
13. *Catherine*, born 7 July 1554, married to Barclay of Gartly.
14. *Margaret*, born 14 October 1557, married to George Sinclair of Mey. She had a charter to Margaret, sixth daughter of William, Lord Forbes, future spouse of George Sinclair, Chancellor of Caithness, son of George, Earl of Caithness, of part of the lands of Morkill and Dunnet, from the said George, 13 December 1578.[2]
15. *Barbara*, born 31 January 1560-61, married, first (contract 4 and 5 June 1586[3]), to Robert Allardyce, younger of Allardyce; secondly, to Alexander Hay of Delgatie; thirdly, to Archibald Douglas of Balneathill, afterwards Sir Archibald Douglas of Keillor, son of Sir William Douglas of Lochleven.[4]
16. *Anna*, born 30 September 1564,[5] married, first (contract 10 and 12 August 1588[6]), to Sir John Seton of Barns, with issue; secondly, to John Hamilton, brother of Patrick Hamilton of Samuelston, also with issue.

VIII. JOHN, eighth Lord Forbes, born 3 July 1542, second but eldest surviving son, succeeded his father in 1593.[7] On 9 November 1571, when Master of Forbes, he obtained a precept under the royal signet as King's Lieutenant within certain bounds of the north country for uplifting the two-thirds of the rents of the Bishopric of Aberdeen fallen into the King's hands. For this reason, or simply for his adherence to the King's party, he became obnoxious to the Gordons as Queen's men, and Adam Gordon of Auchindoun, who then raided the King's partisans in Aberdeenshire, seized the Master and sent him a prisoner to Spynie Castle, then held and

[1] Aberdeen Burial Reg. [2] Confirmed 16 February 1578-79, *Reg. Mag. Sig.* [3] *Reg. of Deeds*, xxviii. f. 358. [4] *Forfar Inhibs.*, 22 January 1598-99 and 2 December 1602. [5] Secretary's *Reg. Sas.*, Edinburgh and Haddington, 15 September 1603; iii. 188. [6] *Reg. of Deeds*, xxxiii. f. 300. [7] History *penes* Lord Forbes.

occupied by Patrick Hepburn the notorious Bishop of Moray. He entered his prison in December 1571, and remained there until liberated under the Pacification of Perth 23 February 1572-73, and even then not without being compelled to pay the sum of £705 Scots to the Earl of Huntly and to Adam Gordon.[1] A feud had begun, in September 1571, with the Gordons about the possession of certain church lands, and it went on for several years until composed by the arbitration of the young King James and his advisers at Perth on 6 July 1582.[2] The feud was the subject of enactment in more than one Parliament, and no other cause of dispute than the lands is referred to. He was appointed a Privy Councillor January 1593-94.[3] In 1593 the Lord Forbes joined with Bothwell and Atholl to revenge the barbarous murder of the Earl of Moray.[4] In the same year he was in the convention at Holyrood, where proceedings against the Popish Lords were resolved on.[5] In 1594 he was denounced for not compearing to answer to the charge of trafficking with Bothwell.[6] In the same year he was commissioned against Huntly and Angus, and raised 1100 men for that service.[7] He was second in command of the King's forces under the Earl of Argyll against the Popish Earls of Huntly and Erroll at the battle of Glenlivet, 3 October 1594; and the next year joined the King against these rebellious noblemen.[8] He had a charter of the baronies of Fiddes, Alford, etc., united into the lordship of Forbes 22 February 1594-95.[9] He obtained a commission for maintaining the peace of the north country under the royal signet 18 March 1604.[10] He was served heir to Elizabeth Keith his mother 13 November 1604.[11] He died 29 June 1606 at Putachie, and was buried in Keirn, beside Drumminor.[12] He married, first, in November 1558, Margaret, eldest daughter of George Gordon, fourth Earl of Huntly, to whom he had been contracted on 21 February 1547, and by her he had issue:—

1. *William*, born in 1562, who entered the Capuchin convent at Ghent under the name of Brother Arch-

[1] *P. C. Reg.*, ii. 195, 338. [2] *Antiq. Aberd. and Banff*, iv. 760-770. [3] *Acta Parl. Scot.*, iv. 53. [4] *Moysie's Memoirs*, Bannatyne Club, 102-103. [5] *Ibid.*, 112. [6] *Ibid.*, 117. [7] *Ibid.*, 118, 119. [8] Robertson, iii. 17. [9] *Reg. Mag. Sig.*, xl. No. 27. [10] *Penes* Lord Forbes. [11] *Ibid.* [12] Ms. Hist. of family already cited.

angel, on 13 February 1589, and died there 21 March 1592, aged 29, a year before his father succeeded to the title.

2. JOHN, ninth Lord Forbes.

3. *Jean*, married (contract 12 May 1597[1]) to William Cumyn of Earnside.

4. *Isobel*, who died young, unmarried, and

5. *Margaret*, married, first (contract 23 April 1600), to George Sinclair of Dunbeath;[2] secondly, before 1628, to Claud Hamilton.[3]

The marriage with Margaret Gordon is said to have been dissolved 24 June 1573, and she died at Ghent 1 January 1606.[4] The epitaph on her monument[5] gives the dates just quoted, but the date of the divorce is certainly wrong. It has been assumed, and frequently asserted, that Lord Forbes (then Master) repudiated his first wife on the ground of adultery, that he endeavoured to obtain a divorce for that reason, but that he failed, and that the divorce was at last obtained upon the ground of religious differences. Unhappily the sentence, still extant, refutes this theory, and narrates that while her husband was immured in Spynie Castle, Margaret Gordon associated intimately with Mr. Patrick Hepburn, parson of Kinnoir,[6] at various periods specified, within the houses of Drumminor or Rinaloch, so much so that their intercourse was matter of 'public fame and common voice.' On this ground, after hearing evidence, and on this ground alone, decree was pronounced. The Master of Forbes was released after 23 February 1572-73, and the case was first called in the Commissary Court of Edinburgh on 28 July 1573, with sittings at intervals until 22 March 1573-74, the date of divorce.[7] The lady seems to have gone abroad to be near her sons.

[1] *Reg. Mag. Sig.*, 2 February 1601. [2] Macfarlane's *Gen. Coll.*, Scot. Hist. Soc., ii. 215; and Caithness Family History. [3] *Reg. Mag. Sig.*, 19 February 1628. [4] Hist. *penes* Lord Forbes. [5] In the Abbey of St. Bavon, Ghent. [6] He was a natural son of Patrick Hepburn, Bishop of Moray, who was then residing in the Castle of Spynie, where Forbes was immured; *Acta Parl. Scot.*, iii. 6. [7] *Register of Decreets* of the Commissariot of Edinburgh, vol. 6 at dates. It may be repeated that the feuds with the Gordons began in September 1571, because the Forbeses were unjustly deprived of church lands, and the divorce is never in any writ referred to as a cause of quarrel.

Lord Forbes married, secondly, in 1580, Jonet, daughter of Walter Seton of Touch, widow of Sir John Bellenden of Auchnoull,[1] who survived him, and died, 2 February 1616, at Aberdeen, where she was buried.[2] They had two sons and one daughter:—

6. ARTHUR, tenth Lord Forbes.
7. *David*, born 3 May 1591, died young, and unmarried, in 1617.
8. *Catherine*, born in 1583, married (contract 31 July 1606[3]) to William Gordon of Rothiemay.

This Lord Forbes had also two natural sons, *James* and *Arthur*.[4]

IX. JOHN, who though he had, like his brother, joined the Order of Capuchins, was still *de jure* Lord Forbes for a brief space. It is said that rather than comply with his father's wish and make a rich marriage with a lady to whom he appears to have been actually betrothed, he followed the example of his elder brother, and escaped to Belgium at an early age, in the disguise of a shepherd. Landing at Noorda, he was soon after apprehended by a Spanish soldier as a spy, and brought before Mondragone, the Governor of the citadel of Antwerp, who took him for a runaway soldier, and sent him to prison. Taking the habit of a Capuchin on 2 August 1593 at Tournai in his twenty-third year, under the title of Brother Archangel, he is said to have converted 300 Scots soldiers to Catholicism at Dixmude, and 'another body of Scottish heretics to the bosom of the Church at Menin.'

At Waastmunster, a town two leagues from Termonde, whither he had gone to nurse the sick, as disease was raging there, he was seized with an infectious disorder, apparently the plague, and returning to Termonde, he died almost immediately whilst being carried into the garden on 11 August 1606,[5] thus surviving his father only about six weeks.

X. ARTHUR, tenth Lord Forbes, eldest son of second marriage, born 25 April 1581, had a charter of the lordship and barony of Forbes 20 December 1598,[6] 'to Arthur Forbes,

[1] Vol. ii. of this work, 66. [2] This and the other dates from MS. History. [3] *Reg. of Deeds*, cclxxv., 27 July 1618. [4] Macfarlane's *Gen. Coll.*, ii. 215. [5] The date given on his mother's monument is 2 August. [6] *Ibid.* D.

eldest son of John, Lord Forbes, by Jonet Seytoun his wife,' and the heirs-male of his body, whom failing, to David their second son, and his uncles, his father's brothers, and the heirs-male of their bodies respectively, confirmed 28 December 1598.[1] By this charter it was evidently intended to exclude John, Arthur's elder brother, from all succession to the estates, and later, in 1600, Arthur is found writing to his brother in a friendly manner, signing himself Master of Forbes, a designation he also had in public documents.[2] He succeeded to the estates and title in 1606, after the deaths of his father and brother. On 8 February 1610-11 a charter was granted to Jean Elphinstone, spouse of Arthur, Lord Forbes, and Alexander, Master of Forbes,[3] their son, of the barony of Fiddes, Forbes, etc., united to the lordship of Forbes. In 1628, when Sir Donald Mackay (afterwards Lord Reay) had been authorised to raise men for foreign service, Lord Forbes agreed to furnish 800 men out of the 1000 to be levied, and also engaged himself for a large sum to enable Lord Reay to carry on the service. He was served heir to his grandfather, William, Lord Forbes, 23 April 1634.[4] Amongst the family papers mention is frequently made of Arthur, Lord Forbes, between the years 1606 and 1638, but they refer chiefly to estates and domestic matters. He married, at Edinburgh, on 5 February 1600,[5] Jean, second daughter of Alexander, fourth Lord Elphinstone, by whom he had six sons and three daughters:—

1. ALEXANDER, afterwards eleventh Lord Forbes.
2. *John*, born in 'Balchats' 2 November 1603, but died young.
3. *Colonel John* (*secundus*), born in Drumminor 2 November 1608. He had letters of recommendation from King Charles I. to the Shah of Persia 2 December 1635.
4. *Colonel William*, born in Fiddes 2 February 1614, Governor of Stadt; killed, it is said, before Bremer Sconce, on 16 May 1654.[6]

[1] *Penes* Lord Forbes. [2] *Second Rep. Hist. MSS. Com.*, App. 195; *P. C. Reg.*, vi. 824. [3] *Reg. Mag. Sig.* [4] *Retours.* [5] Ms. History *ut cit.*, and Edin. Reg. of Marriages. [6] *Memoirs of Sir John Hepburn*, 254; Macfarlane's *Gen. Coll.*, ii. 477.

5. *Captain Arthur*, born at Dunbeath in Caithness 29 August 1615.
6. *Captain James*, born at Fiddes 25 May 1617. The last two were killed in the German wars.
7. *Barbara*, born in Drumminor 17 January 1607; married to George, second Earl of Seaforth, and had issue.
8. *Anna*, born in Drumminor 1 March 1610, married to Arthur Forbes of Echt. She had a charter as his future wife 4 November 1635.[1]
9. *Elizabeth*, born at Fiddes 8 March 1611; married to James Skene of Skene.

XI. ALEXANDER, eleventh Lord Forbes, had a charter to 'Alexander, Master of Forbes,' of the baronies of Fintray, Dunbeath, etc., united to the lordship of Forbes, 18 March 1619.[2] He took service under Gustavus Adolphus, and rose to the rank of lieutenant-general in the Swedish army. On his return home he was given a command in 1643 in Ireland to suppress the risings there. He afterwards retired to Germany, where he spent the remainder of his days, and died at Stockholm 20 April 1672.[3] He married, first, Anne, daughter of Sir John Forbes of Pitsligo, by whom he had, besides several children who died young, one son:—

1. WILLIAM, afterwards twelfth Lord Forbes.

He married, secondly, Elizabeth, daughter of Robert Forbes of Rires, in Fife, by whom he had, besides eight children who died young, two sons and three daughters:—

2. *Colonel James.*
3. *Colonel Arthur.*
4. *Christian*, married to John Forbes of Balfluig.
5. *Mary*, married, first, as his second wife (contract 30 January 1679[4]), with a tocher of 7000 merks, to Hugh Rose of Kilravock, who died 1687; secondly, to Kinnaird of Culbin.
6. *Anne*, died unmarried.

XII. WILLIAM, twelfth Lord Forbes, succeeded 1672. He was nominated one of the Colonels of Foot in the forces raised

[1] Protocol Book of Alexander Forbes, MS. in Gen. Reg. Ho. [2] Douglas. [3] *Penes* Lord Forbes. [4] *Family of Rose of Kilravock*, 363.

to attempt the rescue of the King 1648,[1] and made Colonel of Horse 1649. He died 1697.[2] He married, first, 1648, Jean, daughter of Sir John Campbell of Calder, and by her, who died 10 December 1666,[3] had three sons and two daughters:—

1. WILLIAM, afterwards thirteenth Lord Forbes.
2. *Arthur* of Breda, died without issue.
3. *Archibald* of Putachie, who was buried in Drum's Aisle, St. Nicholas, Aberdeen, 29 November 1723, and his widow on 18 May 1752.[4]
4. *Margaret*, married, first,[5] about 1668, to Alexander, Lord Duffus; secondly, about 1675, to Sir Robert Gordon of Gordonstoun, Bart. She died in April 1677.[6]
5. *Elizabeth*, married to John Leith of Whitehaugh.

Lord Forbes married, secondly, Anna Erskine,[7] second daughter of Alexander, Viscount Fentoun, son of the first Earl of Kellie; and thirdly (banns proclaimed 11 December 1682[8]), Barbara, daughter of Forbes of Asloune, widow of Forbes of Echt, without issue by either of the latter wives.

XIII. WILLIAM, thirteenth Lord Forbes, succeeded his father 1697;[9] he was zealous for the Revolution; was sworn a Privy Councillor to King William 1689. He was colonel of the Horse Guards 27 May 1702-4. He was Privy Councillor to Queen Anne, and supported the Treaty of Union in Parliament. In 1715 he was appointed Lord Lieutenant of the counties of Aberdeen and Kincardine; instructions as to his duties in that capacity were issued to him by order of King George II. 25 August 1715.[10] He died July 1716,[11] and was buried at St. Martin's-in-the-Fields, Middlesex, 25 July 1716. He married, in 1680, Anne, daughter of James Brodie of Brodie, by whom he had three sons and one daughter:—

1. WILLIAM, afterwards fourteenth Lord Forbes.
2. JAMES, afterwards sixteenth Lord Forbes.
3. *Archibald*, born 3 November 1697.

[1] Douglas. [2] *Penes* Lord Forbes. [3] *Fourth Rep. Hist. MSS. Com.*, 516. [4] Burial Reg. [5] *Sutherland Book*, i. 515; *Part. Reg. of Sas., Elgin*, iv. [6] *Fourth Rep. Hist. MSS. Com.*, 516. [7] *Reg. Mag. Sig.*, MS. lib. lxvii. No. 57. [8] Kildrummy Parish Reg. [9] *Penes* Lord Forbes. [10] *Ibid.* [11] Register of Kildrummy.

4. *Mary*, married to John Ogilvie of Balbegno, advocate, who died in August 1743.

XIV. WILLIAM, fourteenth Lord Forbes, succeeded his father 1716. He married, contract dated 3 September 1720, Dorothy, daughter of William Dale of Covent Garden, Westminster. She had a fortune of £20,000, which was all lost by the South Sea Scheme, and other speculations of that infatuated year 1720.[1] He died at Edinburgh 26, and was buried in Holyrood Abbey 28, June 1730. They had issue:—

1. FRANCIS, afterwards fifteenth Lord Forbes.
2. *Anne*, baptized 10 June 1724, died in a few days.
3. *Mary*, baptized at Chelsea 3 November 1725, buried there 9 November 1734.
4. *Jean*, married, 22 April 1748, to Colonel James Dundas of Dundas, M.P. for the county of Linlithgow. She died at Dundas Castle 28 July 1774, leaving issue. (*See* Douglas, *Baronage*.)
5. *Elizabeth*, born 5 January 1730; married in 1752 to Professor John Gregory, M.D., F.R.S., Edinburgh. She died 3 October 1761, leaving issue. From her is descended the present Lord Leith of Fyvie.

XV. FRANCIS, fifteenth Lord Forbes, was born at Chelsea 19 December 1721. He succeeded his father in 1730. He died at Chelsea, and was buried there 8 August 1734, in the thirteenth year of his age, and was succeeded by his uncle.

XVI. JAMES, sixteenth Lord Forbes, second son of William, twelfth Lord Forbes, born 1689, succeeded his nephew 1734. He died at Putachie, now Castle Forbes, 20 February 1761, in the seventy-third year of his age, and was buried at the church of Keig. He married, first, 1715, Mary, daughter of Alexander, third Lord Forbes of Pitsligo, widow of John Forbes, younger of Monymusk, by whom he had one son and three daughters:—

1. JAMES, afterwards seventeenth Lord Forbes.
2. *Sophia*, married to Charles Cumine of Kininmont. She

[1] Douglas.

died at Aberdeen 13 March 1790, aged seventy-five, leaving issue.

3. *Mary*, married to James Gordon of Cobairdy; died at Glenkindie 21 June 1793, leaving issue.
4. *Anne*, married, 20 November 1746, to Thomas Erskine, of Pittodrie; died there 30 October 1750, in her twenty-seventh year, leaving one daughter, *Mary Erskine*, heiress of Pittodrie, married to Colonel Henry Knight, who took the name of Erskine of Pittodrie.

Lord Forbes married, secondly, in July 1741, Elizabeth, daughter of Sir James Gordon of Park, Bart., by Margaret, daughter of Lord Elphinstone. She died, without issue, at Aberdeen, 12 June 1792, in her seventy-second year.[1]

XVII. JAMES, seventeenth Lord Forbes, succeeded his father 1761. As Master of Forbes he was captain in the 26th Regiment of Foot 1746. He was appointed Deputy-Governor of Fort William in May 1764. He died at Edinburgh 29 July 1804 in his eightieth year, and was buried at Castle Forbes. He married, January 1760, Catherine, only daughter of Sir Robert Innes of Orton and Balveny, Bart.; she died at Edinburgh 16 April 1805. By her he had issue:—

1. JAMES OCHONCAR, Master of Forbes, afterwards eighteenth Lord Forbes.
2. *Robert Alaster Cam*, captain R.N. 12 November 1790, commander of the *Dryad* frigate. He died unmarried off the coast of Norway, 7 October 1795.
3. *Andrew*, Chief Registrar of the Isle of Man, and captain in the Royal Manx Fencibles; he died at Douglas 12 June 1808, unmarried.
4. *William*, lieutenant R.N., died at Lisbon 1 February 1792 unmarried.
5. *Marjory*, married, first, 4 June 1786, at Putachie, to John (Lord Macleod), eldest son of the attainted Earl of Cromarty, who died without issue 2 April 1789; secondly, 11 March 1794, to John, fourth Duke of Atholl. She died 4 October 1842, leaving issue.
6. *Mary Elizabeth*, married, at Putachie, 9 July 1785, to

[1] *Gentleman's Mag.*

Sir John Hay of Haystoun and Smithfield, Bart. She died at Edinburgh 2 November 1803, leaving issue.

XVIII. JAMES OCHONCAR, eighteenth Lord Forbes, Grand Cross of the Royal Sicilian order of St. Januarius, was born 7 March 1765, and died at Bregenz, on the Lake of Constance, 4 May 1843.[1] Was captain in Coldstream Guards, served in Flanders and at the Helder, major-general 1802, lieutenant-general 1808, general 1817, colonel 94th Regiment April 1809, of the 54th September 1809, and of the 21st Royal North British Fusiliers 1816-43.[2] Commanded the forces in Ireland for some years. A Representative Peer 1806-43, Lord High Commissioner to the General Assembly of the Church of Scotland 1826. He married, at Crailing House, 2 June 1792, Elizabeth, eldest daughter of Walter Hunter of Polmood, co. Peebles, and of Crailing, Roxburghshire, by Caroline Mackenzie, fourth daughter of George, Earl of Cromarty. She was born 9 May 1775, and died 11 October 1830. By her he had issue:—

1. *James*, Master of Forbes, lieutenant-colonel Coldstream Guards at Bayonne and Waterloo; born 9 April 1796, predeceased his father without issue 25 February 1835.[3]
2. WALTER, born 29 May 1798, succeeded his father as nineteenth Lord.
3. *Frederick*, born 5 April 1803, died 23 April 1826.
4. *William*, born 16 June 1804, died 10 March 1805.
5. *John*, born 28 December 1806, lieutenant 79th Cameron Highlanders, died 5 November 1835.
6. *Robert*, born 1 June 1808, entered the H. E. I. C. Civil Service in Bengal; married, 26 March 1828, Frances Dorothea, second daughter of Thomas Law Hodges, of Hemstead, Kent, M.P., and died 2 June 1883, leaving issue.
7. *Caroline Elizabeth*, born 23 October 1793; married, 16 November 1818, to George Fairholme, of Greenknowe, Berwickshire; died 14 April 1865, with issue.
8. *Catherine*, born 23 March 1800; died 29 August 1808.
9. *Charlotte Elizabeth*, born 28 May 1801; married, 15 September 1825, to Sir John Forbes of Craigievar,

[1] Tombstone. [2] Memorial Tablet, Guards' Chapel. [3] *Ibid.*

Bart., father of William, Lord Semple, and died 5 November 1883.

10. *Mary Stuart*, born 23 August 1810; married, 28 August 1839, to Charles Benjamin Lee-Mainwaring, of The Abbey, Knaresborough, Yorks, who died in 1874. She died 2 February 1897, having issue.
11. *Elizabeth Jane*, born 16 June 1813; died in Austria 20 December 1891, unmarried.
12. *Isabella Drummond*, born 25 June 1816; married, 28 August 1839, to Baron Ernest de Poelnitz; died 9 January 1897, and had issue.

XIX. WALTER, nineteenth Lord Forbes, first entered the Navy, but subsequently joined the Coldstream Guards, and served at Waterloo in command of a company of that regiment in the defence of Hougoumont.[1] He was born 29 May 1798, and died at Richmond, Surrey, 2 May 1868, being buried at Brompton Cemetery, London. He married, first, 31 January 1825, Horatia, seventh daughter of Sir John Gregory Shaw, Bart., of Kenward, Kent. She died 24 December 1862; by her he had issue:—

1. *Walter Frederick*, born 19 August 1826; died 6 January 1828.
2. *Jonathan Barrington*, Master of Forbes, born 4 January 1828; died 24 December 1846.
3. HORACE COURTENAY GAMMELL, twentieth Lord.
4. *Charles Murray Hay* of Brux, late 95th Regiment; born 13 March 1830; died 17 May 1874, having married, 17 July 1860, Caroline Louisa Elizabeth, third daughter of Lieutenant-Colonel Hon. George Augustus Spencer; no issue.
5. *James Hunter* of Brux, born 10 February 1833; died unmarried 28 December 1881.
6. *Robert Shaw Brook*, born 14 May 1834; died September 1862, at Maryborough, Queensland, unmarried.
7. *Atholl Monson* of Brux, heir to the title, born 15 February 1841; married, 19 September 1876, Margaret Alice, younger daughter of Sir William Hanmer Dick-Cunyngham, Bart., and has issue:—

   (1) *Atholl Laurence Cunyngham*, born 14 September 1882.

[1] Memorial Tablet, Guards' Chapel.

(2) *Ivan Courtenay*, born 11 December 1883.
(3) *Marjory Winifred*, born 18 October 1879.

8. *Emily*, born 1 March 1832; died unmarried 30 January 1872.

Lord Forbes married, secondly, 4 April 1864, Louisa, second daughter of James Ormond, of Abingdon, Berks, by whom he had two sons:—

9. *Walter Robert Drummond*, born 14 May 1865, late captain Gordon Highlanders; married, 13 February 1888, Eveline Louisa Michell, only daughter of Frederick Cooper Farwell of the Lowlands, Tattenhall, co. Stafford, and has issue.
10. *Montagu Ormond*, born 5 May 1866; married 21 April 1894, Helen, eldest daughter of William Henry Campbell of 30 Lancaster Gate, London, and has issue.

XX. Horace Courtenay, twentieth and present Lord Forbes, born at Aberdeen 24 February 1829, premier Baron of Scotland, M.A. of Oriel College, Oxford, Bart. of Nova Scotia, D.L., Representative Peer 1874-1905.

Arms, as registered in 1672-77.—Azure, three bears' heads couped argent, muzzled gules.

Crest.—A stag's head, attired with ten tynes proper.

Supporters.—Two bloodhounds argent, collared gules.

Motto.—*Grace me guide.*[1]

[J. A., LL.D.]

[1] The old motto on a stone formerly on Bishop Forbes's summer tower at Tullynessle was 'Grace me guide, in hope I bide.'

FORBES, LORD FORBES OF PITSLIGO

IR WILLIAM FORBES of Kynnaldy, second son of Sir John Forbes of Forbes, and next younger brother of Sir Alexander Forbes, created first Lord Forbes (*see that title*), obtained the lands of Kynnaldy and others in the parish of Coldstone from his brother Alexander, with consent of the superior of these lands, Alexander Stewart, Earl of Mar, who granted a charter of these lands to him, dated 'apud Aberden: in festo Sancti Bartholomei 1419.' He had a charter from James Douglas, Lord of Balveny, his kinsman, on 24 July 1423,[1] of Glasloch and other lands, on his marriage with Agnes Fraser, daughter of William Fraser of Philorth, who then resigned these lands in his favour. He had a charter of these lands, together with the adjoining lands of Petslegach (Pitsligo) and others, 12 August 1424.[2] On 27 July 1429, as Willelmus de Forbes, miles, he had a royal charter erecting the lands of Kynnaldy and others into a free barony.[3]

Sir William had a charter from Alexander Setoun, Lord of Gordon, of the lands of Mekylwardis in the Garioch, 30

[1] *Antiq. of Aberd. and Banff* (Spalding Club), iv. 113. [2] Confirmed 18 July 1426, *Reg. Mag. Sig.* [3] *Ibid.*

June 1432,[1] and in 1445 he had a gift from King James II. of the lands of Bothron and Kyninmond, in the county of Banff, during his lifetime.[2]

Sir William was slain fighting under the banner of the Earl of Huntly in the battle between the Lindsays on the one side and the Gordons and Ogilvies on the other at the gates of Arbroath, on the 13 or 23 day of January 1445-46.[3] He married, as stated above, on 24 July 1423, Agnes, daughter of William Fraser of Philorth, by whom he had issue :—

1. ALEXANDER, his heir.
2. *Malcolm*, of Meikle Wardis.
3. *Arthur*, who married, before 12 October 1463, Beatrix Douglas, daughter of James, seventh Earl of Douglas, and widow of William, first Earl of Erroll.
4. —— a daughter, married to James Menzies of Lashgoune.[4]

ALEXANDER FORBES of Pitsligo succeeded his father, but his succession to the lands was disputed by his younger brother Malcolm. The dispute was referred to a court consisting of Alexander, Earl of Huntly, Alexander, Lord Forbes, Sir Alexander Irvine of Drum, and others, who, by their deliverance, dated at Culsalmond 21 May 1446, found that Alexander Forbes was lawful and full heir to all the lands held by his father, and they decreed that Malcolm should execute a bond of manrent to his elder brother, in return for which he was to receive the lands of Meikle Wardis, in the Garioch.[5] Alexander had a charter of the baronies of Pitsligo and Kynnaldy on his own resignation, 10 October 1476.[6]

Alexander Forbes died in March 1477,[7] and was succeeded by his grandson. He is said to have married Maria, daughter of an Earl of Erroll,[8] with issue :—

1. *William*, his heir-apparent, died *vitâ patris*; married,

[1] *Antiq. of Aberd. and Banff*, i. 556. [2] *Exch. Rolls*, v. 170. [3] *Antiq. of Aberd. and Banff*, iv. 390, and authorities there quoted. [4] *Family of Forbes of Forbesfield*, 6. [5] *Antiq. of Aberd. and Banff*, iii. 404-405. Original in Charter-chest of Pitsligo and Fettercairn. [6] *Ibid.*, iv. 105. [7] *Reg. Mag. Sig.* [8] Macfarlane's *Gen. Coll.*, ii. 217. No evidence of this marriage has been found among the Erroll Papers. (*See that title.*)

about 1466,[1] Mariota Ogilvy, daughter of Sir John Ogilvy of Lintrathen, by whom he had two sons:—

(1) ALEXANDER, who succeeded his grandfather.
(2) *William*, of Daach, who married Elizabeth, eldest daughter of John Forbes of Brux.[2]

2. *George*, ancestor of the Forbeses of Lethenty.[3]
3. *Arthur*, who married Elizabeth, granddaughter of Sir Thomas Wemyss of Rires,[4] and became ancestor of the Forbeses of Rires.
4. ——, daughter, married to John Gordon of Botary.
5. *Isabel*, married to William Urquhart, Sheriff of Cromarty.[5]
6. ——, married to Alexander Tulloch of Montcoffer.
7. ——, married to —— Mowat of Balquholly.
8. *Elizabeth*, married to Gilbert de Johnston of Caskieben.[6]

ALEXANDER, on 29 April 1477, was served heir to his grandfather in the barony of Pitsligo.[7] He married Isobel (or Elizabeth) Wemyss, of what family is not certain,[8] who survived him, and in 1501 was the wife of Thomas Blair.[9] She was alive 16 August 1524, when she granted a tack of her terce lands to her 'lovit carnale sone,' John Forbes of Pitsligo, for £40 yearly, payable to her at Dysart in Fife.[10] By her he had issue:—

1. JOHN, his heir.
2. ——, married to Calder of Asloun.
3. ——, married to William Woodman, Laird of Fenzies.
4. ——, married to William White in Aberdeen.
5. ——, married to William Lawson in Dysart.[11]

He died about 1496.

3 [1] *Antiq. of Aberd. and Banff*, iii. 404. [2] *Acta Dom. Conc.*, x. 88. Douglas. [4] *Ibid.*; Fraser's *Family of Wemyss*, i. 60; *Acts and Decreets*, i. f. 204. [5] Macfarlane's *Gen. Coll.*, ii. 358. [6] *Family of Johnston of that Ilk.* [7] *Antiq. of Aberd. and Banff*, iv. 104-105. [8] *Acta Dom. Conc.*, xiv. 136. According to Lumsden, she was a daughter of Patrick Wemyss of Rires, but there was no person of that style; a Patrick Wemyss of Pittencrieff appears later. It is possible that the lady was the daughter of John Wemyss of Pittencrieff and Elizabeth Dishington, who married about 1466. Cf. Fraser's *Family of Wemyss*, i. 61. [9] *Acta Dom. Conc.*, x. 9. [10] *Antiq. of Aberd. and Banff*, iv. 105. [11] Macfarlane's *Gen. Coll.*, ii. 217.

JOHN, born *circa* 1487; succeeded his father, and was infeft in the lands of Pitsligo and others on a royal precept, 9 November 1496. He was served heir to Sir Alexander Forbes, his grandfather, in the lands of Faithly and others, 21 April 1506,[1] and had a charter of one-third of Pettallochy and others 1 March 1506-7.[2] He married, first, Jean, daughter of Sir William Keith of Inverugy;[3] second, Isabel or Elizabeth, daughter of James Innes of that Ilk, and relict of George Meldrum of Fyvie;[4] they had a charter of the lands of Meikle Wardis about 1523.[5] John died 16 May 1556, in his seventieth year.[6] He had issue:—

1. ALEXANDER, his heir.
2. *Arthur*, killed at Pinkie 1547.
3. *John*.
4. *William*.
5. *Christian*, married to George Straton of Lauriston.[7]
6. *Marjory*, married, first, to Henry Bannerman of Waterton;[8] second, to Alexander Menzies.[9]
7. ——, married to [Alexander] Keith of Pittendrum.

ALEXANDER FORBES of Pitsligo, called the 'Red Laird,' was sore wounded at Pinkie.[10] As son and heir-apparent of John Forbes of Pitsligo he had a charter to himself and his wife of the lands of Knoksowle and others from his father 7 December 1521.[11] He died in 1562.[12] He married Beatrix, daughter of Alexander, Lord Abernethy of Saltoun, and by her had issue:—

1. WILLIAM, his heir.
2. ALEXANDER, who succeeded his brother.
3. *John* of Boyndlie, slain at Pinkie,[13] who married Agnes, daughter of Gray of Schivas, and had issue.
4. *Arthur*, who married Margaret Leslie, daughter of the Laird of Pitcaple,[14] and had issue.
5. *George*, of Auchannasse, married, contract 8 July

[1] *Sheriff Court Records of Aberdeen*, 18. [2] *Reg. Mag. Sig.* [3] Douglas; the Christian name not given by Lumsden. [4] *Acta Dom. Conc.*, xxxiii. 109. See *Antiq. of Aberd. and Banff*, ii. 329. George Meldrum died 1518; *Exch. Rolls*, xiv. 634. [5] *Treas. Acc.*, v. 178. [6] Ms. notes. [7] Ms. in Barclay Allardice Charter-chest; *Reg. Mag. Sig.*, 26 May 1539. [8] *Acta Dom. Conc. et Sess.*, i. 72; cf. *Reg. Mag. Sig.*, 25 February 1538-39. [9] *Acta Dom. Conc. et Sess.*, i. 72. [10] Lumsden's *History*, 41; *Collections of Aberd. and Banff*, 437. [11] Confirmed 8 December, *Reg. Mag. Sig.* [12] Ms. notes. [13] *Collections of Aberd. and Banff*, 437. [14] *Ibid.*

1570, Marion, daughter of James Ogilvy of Kempcarne.[1] He died before 1574, and Alexander of Pitsligo, his brother, was his heir.

6. *Hector.*
7. *Janet*, who seems to have been the eldest, married to John Forbes of Brux.[2]
8. *Mariota*, married to Alexander Gordon of Lesmoir[3] before 29 June 1561.
9. *Margaret*, married to John Chene of Straloch.[4]

WILLIAM FORBES of Pitsligo had a charter, 15 June 1548,[5] of the lands of Melgum and others to himself and his wife and their heirs-male; whom failing, to his own heirs-male whatsoever and assigns.[6] He was, under the designation of William Forbes of Melgum, served heir of his father in the barony of Pitsligo, etc., 18 February 1562-63, and 31 July 1563. He was also served heir of John Forbes of Pitsligo, his grandfather,[7] in the lands of Lethenty, 31 July 1563.[8] He sold the barony of Pitsligo and other lands to his brother Alexander Forbes, reserving his own liferent and the terce of Catharine Gordon his wife. He died before 1566,[9] having married, in 1548, Catharine, daughter of Alexander Gordon of Strathdoun, by whom he had issue two daughters:—

1. *Margaret*, married, before 29 April 1574,[10] to James Forbes of Lethenty.
2. *Jonet*, married, before 1580,[11] to William Duguid of Auchinhove.

ALEXANDER succeeded his brother, and had a royal charter of the barony of Pitsligo and others 23 January 1579-80.[12] He died before 10 October 1587.[13] He married, after 1547, first, Alison, daughter of —— Anderson, relict of Alexander Forbes of Tolquhoun, by whom he had a daughter:—

1. *Violet*, married (contract 20 April 1571) to Gilbert Menzies of Pitfoddels.[14]

He married, secondly, Barbara, daughter of William,

[1] *Reg. of Deeds*, xiii. 214. [2] *Aberdeen Hornings*, vol. ii. f. 130, 30 March 1585; *Reg. Mag. Sig.*, 10 February 1546-47. [3] *Reg. Mag. Sig.*, 28 January 1576-77. [4] *Acts and Decreets*, xix. 62. [5] Confirmed 24 July 1548, *Reg. Mag. Sig.* [6] *Inq. Retours*, i. 4, 5. [7] *Ibid.*, i. 18. [8] *Antiq. of Aberd. and Banff*, iv. 105. [9] Ms. notes. [10] *Reg. Mag. Sig.* at date, and 23 January 1579-80. [11] *Ibid.* [12] *Ibid.* [13] Ms. notes. [14] *Reg. Mag. Sig.*, 28 January 1576-77.

fourth Earl Marischal; she had a charter of Ladiesfurd, etc., in Aberdeenshire;[1] they had issue:—

2. JOHN, his heir.
3. *Marjory*, married to John Forbes of Brux.

He married, thirdly, in 1584, Margaret Mackintosh, daughter of William Mackintosh of that Ilk, relict of Duncan Grant, younger of Freuchie.[2] She married, thirdly, Gordon of Abergeldie; fourthly, William Sutherland of Duffus (*see article* Duffus).

JOHN, the only son, was served heir to his father 1 February 1600.[3] On 1 July 1600 he had charters to himself of the barony of Pitsligo, and to himself and his wife of Kynnaldy.[4] On 26 June 1600 he resigned 'in the King's hands, for new infeftment in his own favour, the lands and baronies of Petslego and Kynnaldye.'[5] He had a charter of Kindrocht to him and his wife 11 July 1607.[6] On 12 November 1618 a charter of the lands and barony of Pitsligo, with the annexed lands of Cowburtibeg, and the patronage of the churches of Aberdour, and of Logy on Ethensyde, was granted him and his heirs-male; whom failing, to Robert Forbes of Rires and his heirs-male; whom failing, to James Forbes, brother of the said Robert, and his heirs-male, and their assignees whomsoever.[7] He died September 1625. He married Christian Ogilvy, eldest daughter of Walter, first Lord Ogilvy of Deskford, by whom he had issue:—

1. ALEXANDER, his heir.
2. *Anne*, married, as his first wife to Alexander, eleventh Lord Forbes.
3. *Violet*, second daughter.[8]
4. *Jean*, married to Walter Forbes of Tolquhoon.[9]
5. *Mary*, married to Ogilvy of Boyne.
6. *Christian*, married (contract dated 4 November 1628[10]) to Thomas Fraser of Strichen.[11]

[1] 12 March 1574-75; confirmed 1 March 1575-76, *Reg. Mag. Sig.* [2] *Baronage*, 344; *Reg. of Deeds*, cclix, 21 May 1617; *Reg. Sec. Sig.*, lii. 155. [3] *Retours*, ii. 15. [4] *Reg. Mag. Sig.* [5] *Antiq. of Aberd. and Banff*, iv. 105. [6] Confirmed 31 August, *Reg. Mag. Sig.* [7] *Ibid.* The Forbeses of Rires descended from Alexander, second Laird of Pitsligo, and apparently became the next-of-kin to this Laird of Pitsligo. [8] *Gen. Reg. Inhibitions*, 23 March 1616. [9] Macfarlane's *Gen. Coll.*, ii. 226. [10] Anderson's *Family of Fraser*, 180. [11] *Reg. Mag. Sig.*, 10 March 1618.

I. ALEXANDER, the only son, had a charter of the lands of Brako, etc., in Aberdeenshire, 16 March 1618.[1] He was served heir of his father 1 October 1628.[2] On 24 December 1629 he resigned the lands of the barony of Aberdour in favour of himself and his heirs-male.[3] He was created a Peer, by the title of LORD FORBES OF PITSLIGO, by patent dated at Holyrood House, 24 June 1633, with the unusual remainders to the heirs-male of his body *or* their heirs; whom failing, to his own heirs-male whatsoever.[4] Lord Forbes of Pitsligo died 26 October 1636.[5] He married Jean, second daughter of William, sixth Earl Marischal, by whom he had issue:—

1. ALEXANDER, his heir.
2. *Mary*, married to Sir John Gordon of Haddo,[6] with issue.

II. ALEXANDER, second Lord Forbes of Pitsligo, was served heir of his father, 27 April 1637, being then under age.[7] He appears in Parliament from 1661 till 1689, in which year he was excused from attendance. He died after 7 June 1690, when his son is still styled Master,[8] but before the November following.[9] He married Mary, eldest daughter of James, Earl of Buchan,[10] by whom he had issue, one son:—

ALEXANDER, his heir.

III. ALEXANDER, third Lord Forbes of Pitsligo, succeeded his father, and died December 1690,[11] aged about thirty-five. He married, in 1676, Sophia Erskine, daughter of John, Earl of Mar, and by her, who survived till June 1734, had issue:—

1. ALEXANDER, his heir.
2. *Mary*, married, first, to John Forbes, younger of Monymusk, and, secondly, as his first wife, to James, sixteenth Lord Forbes, by both of whom she had issue.

IV. ALEXANDER, fourth Lord Forbes of Pitsligo, was born about 1678, and succeeded his father about 1691. He took

[1] *Reg. Mag. Sig.* [2] *Retours, Aberdeen.* [3] Pitsligo Charter-chest. [4] For a discussion on the possible effect of this remainder, see Hewlett on *Dignities*, 143. [5] Balfour's *Annals*, iii. 226. [6] Macfarlane's *Gen. Coll.*, ii. 475; *Aberdeen Sasines*, xv. 437. [7] *Retours, Aberdeen.* [8] *Acta Parl. Scot.*, ix. 142. [9] Ms. Notes. [10] Vol. ii. 272. [11] Pitsligo Burial Reg.

the oaths and his seat in Parliament 21 May 1700; he was an opponent of the Union, and did not vote in, or even attend, the Parliament of 1706-7. He was implicated in the Risings of 1715 and 1745; in the first of these he seems to have escaped the notice of the Government, but for his share in the second he was attainted, and his honours and title forfeited. As the attainder was passed under the title of Lord Pitsligo (under which designation he was usually known) he appealed against it, but after a judgment being pronounced by the Court of Session in his favour 16 November 1749, it was reversed by the House of Lords on appeal 1 February 1750. Lord Forbes of Pitsligo published in 1734 a series of essays. He died at Auchiries, Aberdeenshire, 21 December 1762,[1] and was buried, along with his predecessors in the title, in a vault opposite the pulpit in Pitsligo Church. He married, first (contract 5 May 1703), Rebecca, daughter of John Norton, merchant, London. She died June 1731,[2] and he married, secondly (contract 26 September 1731), Elizabeth Allen, 'sister to Thomas Allen of Finchley.' She died *s.p.* in 1759. By his first wife he had an only son,

JOHN, Master of Pitsligo, who married, 2 August 1750, Rebecca, daughter of James Ogilvy of Auchiries; she died, his widow, at Aberdeen 29 January 1804. By her he had no issue. John Forbes died at Auchiries 30 August 1781, aged sixty-eight, and was buried in Pitsligo Church.

CREATION.—Lord Forbes of Pitsligo, 24 June 1633.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, azure, three bears' heads couped argent, muzzled gules, for *Forbes*; 2nd and 3rd, azure, three cinquefoils argent, for *Fraser*.

CREST.—A hand holding a sword proper.

SUPPORTERS.—Two bears proper muzzled gules.

MOTTO.—*Nec timide nec temere.*

[J. A., LL.D.]

[1] *Scots Mag.* He is said to have been the original on which Scott founded his character of the Baron of Bradwardine. [2] Pitsligo Burial Reg.

DOUGLAS, EARL OF FORFAR

ARCHIBALD DOUGLAS, the first to bear this title, was the eldest son of Archibald, Earl of Angus, by his second wife, Lady Jean Wemyss, and was born 3 May 1653. His father had received from King Charles II. in 1651 the title of Earl of Angus and Ormond, with a special destination to his heirs-male by Lady Jean Wemyss of the title of Earls of Ormond, Lords Bothwell and Hartsyde. On his father's death, in 1655, Archibald Douglas ought to have succeeded to the title of Earl of Ormond, but the original patent had never passed the Great Seal, owing to Cromwell's invasion of Scotland. The King however, on 2 October 1661, a few months after his restoration, granted a new patent, creating Archibald Douglas EARL OF FORFAR, LORD WANDELL AND HARTSYDE, with remainder to heirs-male, and with precedence from the date of the original patent of 1651.[1] In 1669 he had from his elder brother James, second Marquess of Douglas, a charter of the lands of Bothwell and Wandell.[2]

There is little record of the Earl's public life until the Parliament of 1689, when he adhered to the party of the Prince of Orange. He continued to attend Parliament

[1] *Douglas Book*, iii. 333-335; *Reg. Mag. Sig.*, MS. lib. 60. No. 353.
[2] Writs in Douglas Charter-chest.

regularly, and during the debates upon the Union he steadily voted with the Government.[1] He died on 23 December 1712, aged fifty-nine, and was buried in an aisle of the church of Bothwell, where a tomb was erected to his memory by his Countess, who was Robina, daughter of Sir William Lockhart of Lee. She survived her husband until 1741.[2] They had issue a son.

II. ARCHIBALD, second Earl of Forfar, was born 25 May 1692,[3] and was known as Lord Wandell, until he succeeded his father in 1712. In 1713 he was appointed colonel of the 10th Regiment of Foot, and in the following year was sent as Envoy to Prussia. In the insurrection of 1715 he held the rank of brigadier under the Duke of Argyll, and was present at the battle of Sheriffmuir on 13 November in that year. He fought bravely, and his regiment, on the right wing of the royal army, was victorious, but he was wounded so severely that he lingered only a few days after the battle, dying at Stirling on 3 December 1715 in his twenty-fourth year. He was buried near his father at Bothwell. As he died unmarried, his estates reverted to the main line, represented by his cousin the Duke of Douglas, and his honours became extinct.[4]

CREATION.—2 October 1661, Earl of Forfar, Lord Wandell and Hartsyde.

ARMS, recorded in Lyon Register.—Quarterly: 1st and 4th, argent, a man's heart gules crowned with an imperial crown or, on a chief azure three mullets of the first; 2nd and 3rd, counterquartered, 1st, azure, a lion rampant argent crowned with an antique crown or; 2nd, or, a lion rampant gules surmounted of a cost sable; 3rd, argent, three piles gules; 4th, or, a fess chequy azure and argent surmounted of a bend gules charged with three buckles of the first.

[1] *Acta Parl. Scot.*, ix, x, xi, *passim.* [2] The Countess was a great friend of Queen Mary, and had in her possession two relics, a posset bowl used by King William, and a small table clock, the latter of which was in the possession of the late Professor James Clerk Maxwell of Middlebie. [3] Canongate Register; *The Douglas Book* inadvertently gives 1693 as the year of his birth. [4] *The Douglas Book*, ii. 444, and authorities there cited.

CREST.—A salamander in flames proper.

SUPPORTERS.—Dexter, a savage wreathed about the middle with laurel proper, and about the neck a chain of gold, from which is suspended a crowned heart, and holding in his right hand a baton erected; sinister, a hart proper attired or, with a collar azure, charged with three stars argent, having a crowned heart hanging thereat.

MOTTO.—*Extinctus orior.*[1]

[J.A.]

[1] The crest, supporters, and motto are on the authority of Nisbet.

FORRESTER, LORD FORRESTER

OREST, Forster, Forester, or Forrester, is a name no doubt derived from the occupation of its original possessor. The first of the name on record is a William Forrester, an Esquire, who appears in the muster roll of the Peel of Linlithgow in 1311-12, but the earliest authentic progenitor of the Lords Forrester was

ADAM FORRESTER, a wealthy and influential burgess of Edinburgh. He had a grant of the customs south of the Forth 17 March 1361-62;[1] a charter of half the lands of Whitburn, in the constabulary of Linlithgow, 17 August 1364;[2] a confirmation of a grant to him by William Seton of two carucates of land 'in Villa de Nodreff' (Niddry), in the same constabulary, 23 October 1369,[3] a confirmation of a grant to him by Alexander de Straton of the lands of Castlecary, co. Edinburgh, 7 December 1376, and on the same day a confirmation of a grant to him by William More of Abercorn of the lands of Corstorphine.[4] He had a charter from James Douglas, Lord of Dalkeith, of the lands of Fairliehope, co. Peebles, 16 March 1377.[5] He had a grant from King Robert II. of twenty merks from the burgh mails of Edinburgh in excambion for a similar sum

[1] *Reg. Mag. Sig.*, folio vol. 21, 4. [2] *Ibid.*, 39, 102. [3] *Ibid.*, 76, 271. [4] *Ibid.*, 136, 48, 49. [5] *Douglas Book*, iii. 26.

from the customs of that burgh 28 December 1379,[1] and a similar grant 4 July 1383;[2] a grant of a tenement in Edinburgh; of the *hostilagia* of Traquair, co. Peebles; of the Wrychtishouses, near Edinburgh, on the resignation of Henry de Wyntoun and Amy Broun, all on 25 June 1382.[3] In 1388 he is mentioned as Deputy Chamberlain.[4] On 2 October 1389 he had a safe-conduct to pass through England to France on the affairs of Scotland,[5] and in the following years he was frequently employed in embassies from Scotland to England. He is mentioned as Keeper of the Great Seal, and acting in the absence of the Chancellor, 23 March 1390-91.[6] He had a grant of forty shillings of the castle wards of the barony of Dalhousie and Cockpen, with a confirmation of the barony of Clerkington.[7] The latter he is said to have acquired from the Earl of Angus.[8] On 2 October 1397 he appends his seal to an indenture between the English and Scottish Commissioners for arranging a meeting between the Earl of Carrick and the Duke of Lancaster, his arms being a chevron between three hunting horns. He was Provost of Edinburgh 1373, 1378, and 1387; was taken prisoner at the battle of Homildon Hill, 14 September 1402, but was speedily ransomed. Under the designation of Sir Adam Forrester, Knight, he is said to have 'occupied and torteously detained' certain sums of money due by him to the Prior and Brethren of the Order of St. John of Jerusalem, for their lands and possessions in Scotland,[9] and as Sir Adam Forster, Knight, of Corstorphine, he was one of the Commissioners appointed to arrange a truce at Hawdenstank 8 October 1404.[10]

On his acquiring the lands of Corstorphine in 1376 he founded a chapel, dedicated to St. John the Baptist, in connection with the parish church there. Sir Adam died 13 October 1405.[11] He was probably buried in Edinburgh, as his tomb does not appear along with those of his successors in Corstorphine church. He is said to have married, first, Agnes, daughter of John Dundas of Dundas.[12] He married, secondly, a lady whose Christian name was Margaret, and

[1] *Reg. Mag. Sig.*, folio vol. 152, 126. [2] *Ibid.*, 157, 32. [3] *Ibid.*, 164, 16, 17; 165, 23. [4] *Exch. Rolls*, iii. 176. [5] *Cal. of Docs.*, iv. 396. [6] *Reg. Mag. Sig.*, folio vol. 184, 12. [7] Robertson's *Index*, 150, 59. [8] Douglas. [9] *Cal. of Docs.*, iv. No. 651. [10] *Ibid.*, No. 664. [11] *Charters of St. Giles*, 41. [12] Douglas, *Baronage*.

who, after the death of her husband, received an annuity of £10 from the customs of Edinburgh up to 1421.[1] She was living 20 May 1429, on which date she and her son, Sir John, founded two chaplainries in the chapel of St. John the Baptist at Corstorphine, for the souls of King James I., his Queen Johanna, and the deceased Sir Adam Forrester.[2] By her he had, so far as known, two sons and a daughter:—

1. JOHN, of whom afterwards.
2. *Thomas*, who had a charter from his brother, Sir John, of the lands of Drylaw, co. Edinburgh, 20 August 1406.[3]
3. *Marion*, married to Andrew Leper, burgess of Edinburgh, who died about 5 March 1400, his father-in-law, Sir Adam, being served heir to him 2 May 1402.[4]

SIR JOHN FORRESTER of Corstorphine was served heir to his father 6 November 1405.[5] He took a leading part in public affairs, and held the office of Deputy Chamberlain south of the Forth in 1405-6. On 30 December 1407 he had a confirmation of a charter by Henry St. Clair, Earl of Orkney, of an annualrent of twelve merks out of the lands and collieries of Dysart in consideration of an advance by him to the Earl of 300 gold nobles, English money.[6] On 3 March 1407-8 he had a confirmation of a charter to himself and his wife Margaret by Sir John Drummond of Cargill of the lands of Ochtertyre, co. Stirling.[7] He was one of the Commissioners sent to England to treat for the release of King James I. in 1416, and was made Keeper of the Great Seal by the Duke of Albany when he became Governor in 1420.[8] In 1423 he had a safe-conduct to pass to Durham to meet King James I. on his return from captivity.[9] In June 1424 he had a safe-conduct for a year to journey to Flanders,[10] but whether he went there or not is uncertain; he more probably stayed at home with the young King, with whom he was a great favourite, and by whom he was appointed Master of the Household. On 10 July 1426 a whole series

[1] *Exch. Rolls*, iv. *per* index. [2] *Charters of the Collegiate Churches of Midlothian*, 296. [3] Confirmed 24 August 1406, *Reg. Mag. Sig.*, folio vol. 225, 12. [4] *Charters of St. Giles*, 38. [5] *Rotuli Scotiæ*, i. 876. [6] *Reg. Mag. Sig.*, folio vol. 234, 29. [7] *Ibid.*, 232, 26. [8] *Reg. Mag. Sig.* [9] *Cal. of Docs.*, iv. 941. [10] *Ibid.*, 962.

of charters was granted to him. These charters were confirmations, first, of the sale to Sir John Forrester by John Murray of Ogleface of the lands of Badlormie, co. Linlithgow; second, of the wadset of twelve merks from Dysart mentioned above; third, of the lands of Corstorphine, Drylaw, Nether Liberton, and Meadowfield, together with the lands of Clerkington; all which were united into the barony of Liberton; fourth, of the sale of an annualrent of one hundred merks made by Sir John Seton from lands in Longniddry, and the grant of Ochtertyre before alluded to.[1]

On the death of the Earl of Buchan at the battle of Verneuil, 17 August 1424, his office of Chamberlain was bestowed on Sir John Forrester. On 2 March 1424-25 he founded a chaplainry in St. Giles, Edinburgh, for the souls of the King and Queen, of his own father and mother, and his deceased wife Margaret.[2] On 24 February 1425-26 the King founded three chaplainries in Corstorphine church for the souls of the same persons, and granted Forrester the patronage of the chaplainries.[3] He was one of the jury in the trial of Murdac, Duke of Albany, in May 1425.[4] On 25 June 1429 he is named as John Forester, baron of Liberton, one of the Scots Commissioners for a truce with England,[5] and on 12 July in the same year he appends his seal to an indenture settling conditions for the observance of order on the Marches, his arms being simply a hunting horn stringed.[6] In 1429 he probably founded the collegiate church of Corstorphine, though the papal bull for its erection was not issued till 15 July 1544.[7] On 4 February 1430-31 he had a royal charter of the lands of Corstorphine, Drylaw, Nether Liberton, Meadowfield, aud Clerkington to himself, with remainder to his eldest son John, his sons Henry and John (*secundus*), and his own brother Thomas and the heirs-male of their bodies, whom failing, to his own nearest and lawful heirs.[8] The date of the death of Sir John Forrester is uncertain, but he probably died in 1448, in which year is the last mention of him as Chamberlain.[9] He was buried in Corstorphine church, where the recumbent effigies of himself and one of his wives are still to be seen.[10]

[1] *Reg. Mag. Sig.* [2] Confirmed 25 February 1425-26, *ibid.* [3] *Collegiate Churches of Midlothian*, 293. [4] Fordun. [5] *Cal. of Docs.*, iv. 1029. [6] *Ibid.*, 1030. [7] *Collegiate Churches of Midlothian*, lxviii. [8] *Reg. Mag. Sig.* [9] *Exch. Rolls*, v. 297. [10] *Proceedings Soc. of Antiq.*, xi. 359, xxix. 382.

He married, first, a lady whose Christian name was Margaret,[1] but nothing more is known of her; secondly, Jean, daughter of Henry St. Clair, Earl of Orkney;[2] thirdly, in or previous to 1422, Marion, only daughter and heir of Sir Walter Stewart of Dalswinton; she was the widow of Sir John Stewart of Jedworth, who had died *ante* 23 October 1420, when his relict resigned the lands of Carnsalloch in favour of Sir Herbert Maxwell.[3] In 1422 Sir John received in her right her terce, payable from the customs of Linlithgow.[4] Two years afterwards she made, with consent of her husband, a donation to a prebendal stall in the cathedral of Glasgow.[5]

Sir John Forrester had issue:—

1. Sir John, who succeeded.
2. *Henry*, who had confirmation on 28 October 1425 of the lands of Incherathnyne and Oxgangis, co. Edinburgh, and of Auchindenny and others, in the same county.[6] On 23 February 1425-26 he had a charter of the lands of Kilbaberton.[7] He was latterly styled of Niddry. He married Helen, daughter of John Fairlie of Braid, and with her had a charter of the lands of Bavelaw, 8 January 1426-27.[8] They had issue:—
   (1) *John*, who married Elizabeth de Moravia, and with her had a charter of certain lands in Dechmont and Kilbaberton, 28 January 1459-60.[9] He is styled of Niddry 25 February 1492-93.[10] He sold Dechmont in 1505.[11]
   (2) *Archibald*, witness to a charter, 24 December 1506.[12]
3. *Elizabeth*, married to Sir Alexander Lauder of Halton, and with him had a charter of the lands of Westhall and North Raw, in the barony of Ratho, 17 December 1408.[13]
4. *Janet*, married to Robert, afterwards second Lord Maxwell. On 13 January 1424-25 her husband and she had a grant of the lands of Libbertoun, in the barony of Carnwath.[14] She was living in 1488.[15]

John Forrester of Corstorphine, the eldest son, had a

[1] *Reg. Mag. Sig.*, 10 July 1424, she being then deceased. [2] Van Bassan, quoted in *The St. Clairs of the Isles*, 101. [3] *Book of Carlaverock*, ii. 421. [4] *Exch. Rolls*, iv. 364. [5] *Reg. Glasguen.*, 324. [6] *Reg. Mag. Sig.* [7] *Ibid.* [8] *Ibid.* [9] *Ibid.* [10] *Ibid.* [11] *Ibid.*, 28 January 1505-6. [12] *Ibid.* [13] *Ibid.*, folio vol. 239, 42. [14] *Ibid.*, 4 February 1424-25. [15] *Book of Carlaverock*, i. 149.

charter of the lands of Blackburne, co. Linlithgow, 4 February 1424-25.[1] Not much is known of his career; but it is said that he distinguished himself more in the field than in the cabinet, and took part in the struggles between the Douglases and Chancellor Crichton and Sir Alexander Livingston. In 1443 he was with William, Earl of Douglas, when he destroyed Crichton's castle of Barnton.[2] In consequence of this Crichton retaliated by harrying the lands of Corstorphine and levelling Forrester's house with the ground.[3] He is generally said to have died before 15 September 1454, when Patrick Lesouris, rector of Newton founded a chaplainry in St. Giles for the souls of James I. and II., the late Sir John Forrester of Corstorphine, and others,[4] but this probably applied to his father, as Sir John the son is mentioned as having certain fines remitted in Exchequer in 1456.[5] He was buried in Corstorphine Church, where his tomb still remains. Like that of his father it has the effigies of himself and his wife, whose name is unknown but whose arms, a bend engrailed, appear impaled with those of her husband. He had by his wife apparently one son and one daughter:—

1. ALEXANDER, who succeeded.
2. *Isobel*, married, as his first wife, to Sir James Edmonstone of that Ilk. The marriage was ultimately annulled, and she renounced her appeal against the sentence 3 February 1456-57.[6]

SIR ALEXANDER FORRESTER of Corstorphine, probably the son of the foregoing, granted a charter in 1450 to which Henry Forrester of Niddry, his uncle, and Gilbert Forrester of Drylaw, his cousin, are witnesses.[7] He also appears as witness to a charter of David, Earl of Crawford, 26 February 1463-64.[8] He sat in the Parliament of 13 January 1463-64.[9] He was dead before 20 September 1473, when William de Camera, vicar of Kirkurd, founded a chaplainry at the altar of St. Anne in the church of Corstorphine for the souls of Kings James II. and III. and Sir Alexander

[1] *Reg. Mag. Sig.* [2] Auchenleck Chronicle. [3] *Proceedings Soc. of Antiq.*, xxix. 383. [4] Charters of St. Giles, 103. [5] *Exch. Rolls*, vi. 170. [6] Adv. Lib. MSS., 31, 6, 3, p. 51. [7] *Acts and Decreets*, iv. 381. [8] Confirmed 5 March, *Reg. Mag. Sig.* [9] *Acta Parl. Scot.*, xii. 29.

Forrester.[1] His wife's name is not known, but he had issue:—

1. ARCHIBALD, who succeeded.
2. *Matthew*, who had a charter of the lands of Barnton from his brother 1 March 1487-88.[2] He married Christian, sister of Patrick Bellenden of Auchnoule. They are mentioned 21 January 1494-95.[3] Their son *John* had a precept of clare constat as his father's heir 24 April 1500, and sasine thereon in the following month.[4]
3. *Margaret*, married, first, before 16 June 1470, to John Stewart, son and apparent heir of John Stewart of Craigiehall;[5] secondly, to Robert Ramsay of Cockpen.[6] He was alive 1488.[7]
4. *Janet*, married to William Touris, eldest son of Gabriel Touris of that Ilk.[8]

ARCHIBALD FORRESTER of Corstorphine must have been of mature age in 1482, when he apparently parted with the castle and barony of Corstorphine in favour of his son Alexander, who had a charter of these subjects from the King.[9] The liferent, however, was reserved to Archibald and his wife, and on 2 January 1493-94 he made a similar resignation, without reservation of the liferent, of the lands of Thirlestane, co. Berwick.[10] On 16 December 1475 Hugo Bar founded a chaplainry in Corstorphine for the souls of King James III. and Queen Margaret, and of Sir Archibald Forrester of Corstorphine,[11] but the latter did not die until between 1512 and 1513.[12] He married, first, before 1 February 1479-80, Margaret, daughter of Patrick Hepburne, first Lord Hailes, and widow of Patrick, third Lord Haliburton, and afterwards of Andrew Ker of Cessford.[13] He married, secondly, Agnes Tod.[14] He left issue by his first wife:—

1. ALEXANDER, who succeeded.
2. *Hector*.[15]

[1] *Reg. Mag. Sig.*, 22 October 1477. [2] *Ibid.*, 5 March 1487-88. [3] Protocol Book of James Young. [4] Protocol Book of James Young. [5] *Acta Dom. Conc.*, xvi. 298; *Acta Dom. Aud.*, 84. [6] *Acta Dom. Conc.*, viii. 36 and xiv. 143. [7] *Reg. Mag. Sig.*, 18 January 1488-89. [8] *Acta Dom. Conc.*, 112. [9] *Reg. Mag. Sig.* [10] *Ibid.* [11] *Ibid.*, 18 September 1510. [12] Protocol Book of James Young. [13] See vol. ii. 148; *Laing Charters*, No. 179. [14] Records of Parl., 501. [15] Protocol Book of James Young.

3. *Marion* or *Marjorie*, married, first, as his second wife, before 14 June 1493,[1] to William, Master of Drummond, who died between July 1503 and July 1504;[2] secondly, before February 1507-8, to Sir James Sandilands of Calder.[3]

By his second wife he had a son:—

4. *John*.[4]

ALEXANDER FORRESTER of Corstorphine had a charter of the barony and castle of Corstorphine on his father's resignation, probably about 1482, though the exact date is wanting.[5] On 2 January 1493-94 he, as heir-apparent of his father, had, along with his wife, a charter of the lands of Thirlestane, co. Berwick, which his father resigned in his favour.[6] He is styled fiar of Corstorphine 29 May 1512, and of Corstorphine 8 July 1513.[7] He had a charter to himself and his wife of the lands of Clerkington 7 July 1516.[8] On 16 January 1527-28 he was infeft as heir of his mother Margaret Hepburne.[9] On 12 September 1533 he had a confirmation of Corstorphine with remainder to the heirs-male of his body, whom failing, to James Forrester of Meadowfield and similar heirs, whom failing, to the other series of heirs mentioned in the entail of 1430.[10] He married, previous to January 1493-94 Margaret, said to have been a daughter of Sir Duncan Forrester of Garden. He was alive on 13 January 1538-39, when he resigned Corstorphine in favour of James Forrester of Meadowfield.[11] By his wife he had a son:—

1. *Sir Walter*, who died *vitâ patris* before 16 September 1533, leaving two infant daughters:—

   (1) *Agnes*, who married James Forrester of Meadowfield, afterwards of Corstorphine.

   (2) *Janet*, who, on 16 September 1533 was contracted to the eldest son of Sir Thomas Erskine of Brechin, both being infants; but the marriage never took effect.

JAMES FORRESTER of Corstorphine, who succeeded Alexander as laird, is generally said to have been the son of

[1] *Reg. Mag. Sig.* [2] *Exch. Rolls*, xii. 209, 629. [3] *Acta Dom. Conc.*, xix. ff. 167, 168; *Acts and Decreets*, xvi. 343. [4] Protocol Book of L. Foular, 17 March 1711-12. [5] *Reg. Mag. Sig.*, lib. x. 53. [6] *Ibid.* [7] Protocol Book of James Young. [8] *Reg. Mag. Sig.* [9] Protocol Book of Vincent Strathauchin. [10] *Reg. Mag. Sig.* [11] *Ibid.*

the latter. He was, however, his grand-son-in-law, having married, as above stated, his eldest granddaughter; his son James is styled 'pronevoy and heir' of Alexander.[1] He was probably the son of James Forrester of Meadowfield, who appears as a witness in 1470.[2] As James Forrester of Meadowfield he had, along with 'his wife' Agnes, on 12 September 1533, at which date they must both have been children, a grant of certain lands of Nether Barnton and others on the resignation of Alexander Forrester; on 28 March 1536 he had a charter from James Douglas, Earl of Morton, of the lands of Fairliehope, co. Peebles, also on the resignation of Alexander.[3] He is styled fiar of Corstorphine in a charter to him of the lands of Freirtoune in the regality of Broughton, co. Edinburgh, by the Abbot of Holyrood, 25 August 1537,[4] and on 13 January 1538-39 he had a charter of the barony of Corstorphine on the resignation of Alexander Forrester, and of the lands of Thirlestane on the resignation of himself and his wife, with reservation of liferents. He was killed at the battle of Pinkie 10 September 1547.[5] His widow Agnes Forrester had a charter from Simon Preston of that Ilk, apparently as his future wife, 4 February 1547-48.[6] James Forrester left issue:—

1. JAMES, who succeeded him.
2. HENRY, who succeeded his brother.
3. *Isobel*, married (contract 22 January 1574-75[7]) to James Baillie, younger of Carphin.
4. *Elizabeth*, married (contract 11 May 1557[8]) to David Macgill of Nisbet, Cranston Riddell, and Drylaw, which last place she probably brought him as a marriage portion.[9] She died in Edinburgh 16 March 1578-79.[10]

He had also a natural son,

James, who died January 1608.[11]

JAMES FORRESTER of Corstorphine and Janet Lauder his wife had a charter of the lands of West Craigs of Cor-

[1] *Acts and Decreets*, lxxv. 198. [2] *Acta Dom. Conc.*, 16, 208. [3] Confirmed 14 May 1536, *Reg. Mag. Sig.* [4] *Ibid.*, 16 April 1546, *ibid.* [5] *Acta Dom. Conc. et Sessionis*, xxiv. 95. [6] *Reg. Sec. Sig.*, xxi. 94. [7] *Reg. of Deeds*, xiii. 412. [8] *Acts and Decreets*, lxxii. 27. [9] *Reg. Mag. Sig.*, 12 November 1578; Wood's *Cramond*, 28. [10] *Acts and Decreets*, lxxii. 27. [11] *Edin. Com. Decreets*, 14 July 1608.

storphine and Clerkington 5 February 1555-56; he is stated to have resigned these with consent of his curators, which indicates that he was under age at the date mentioned.[1] On 2 March 1564-65 he had a charter of certain portions of the lands of Lauriston, co. Edinburgh, with half of the houses, gardens, etc., and the superiority of that portion of the lands which formed the terce of Katherine Forrester (probably the widow of Thomas Lauriston of that Ilk, the former owner) on the resignation of his own brother Henry.[2] Lauriston was afterwards sold by him on 9 June 1599 to Archibald Napier of Edenbellie and his wife Elizabeth Moubray.[3] On 2 August 1571, as Sir James Forrester of Corstorphine, he granted to Janet Lauder his wife, in implement of their marriage-contract, which was dated at Corstorphine the previous day, the lands of Nether Liberton, Nether Barnton, Easter Craigs, and Meadowfield.[4] From this it is probable that though Janet Lauder is mentioned as his wife so far back as 1556, they were only then betrothed, and that he did not marry her till the later date, or else that it was a postnuptial contract. On 31 March 1582 he bought from John Mosman, burgess of Edinburgh, son of James Mosman, goldsmith, the lands of Longhermiston and Currie.[5] He died 4 June 1589,[6] when his brother was served heir to him. He married Jonet Lauder, daughter of Robert Lauder of the Bass, but by her he had no male issue. She married, secondly, Sir John Campbell of Cawdor; thirdly, Mr. John Lindsay, parson of Menmuir; and fourthly, Patrick Gray of Cransley, son of Patrick, Lord Gray.[7] He had one daughter:—

1. *Geillis*, married (contract 10 February 1579-80) to Sir Lewis Bellenden of Auchnoule, without issue.

He had a natural son, *Harry*, apprenticed to Andrew Thomson, tailor, 13 July 1596.[8]

Henry Forrester of Corstorphine was served heir to his brother 20 August 1589. On 21 December 1598 he sold to John Moreson, merchant, Edinburgh, the Plewlands and Sacristan's lands, otherwise Broomhouse, the lands of

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] Confirmed 16 May 1575, *ibid.* [5] Confirmed 29 June 1582, *ibid.* [6] *Edin. Com. Decreets*, 13 January 1589-90. [7] See *Thanes of Cawdor* and *Lives of the Lindsays*. [8] Edin. Apprentice Reg.

Whitehouse at Corstorphine, and the hill there.[1] In 1600 the minister of Gogar, William Arthur, insisted that he should come to his church 'for hearing of the worde and ressaveing all other benefeittis of the Kirk.' As Forrester had a very good parish kirk of his own, he, along with the provost, deacons, elders, and other inhabitants appealed to the Privy Council, who sustained their appeal.[2] He died after 21 August 1612 and before 30 July 1618, when his son is mentioned as laird.[3] He married Helen Preston, said to have been of the Craigmillar family, who survived him, and married, secondly, before 1625, William Borthwick, elder of Soutray.[4] He left issue:—

1. GEORGE, first Lord Forrester of Corstorphine.
2. *David.*[5] He appears to have been a very wild youth. On 20 April 1612 he came to the house of Nicol Crawford in Nether Liberton, sought him everywhere to murder him, and, missing him, gored and slew a horse standing in the stable, for all which he was declared rebel.[6] There is another charge against him of getting drunk and making an uproar in the street after 10 P.M.[7]
3. *Henry.*[8]
4. *John.*[9]
5. *Sara*, married (contract 29 March 1622) to John, youngest son of Thomas Inglis in Auldliston.[10]
6. *Euphame*, styled second daughter 12 February 1620.[11]
7. *Agnes.*
8. ——.[12]

I. GEORGE FORRESTER, as heir-apparent of his father, had, along with his wife, a grant of the lands of Clerkington and others, 15 November 1607.[13] He also, with consent of his parents and wife, resigned the barony of Nether Liberton in favour of Mr. Alexander Gibson of Wester Granton, one of the Clerks of Parliament, who, on 21 August 1612, got a royal charter by which these lands were disjoined from the barony of Corstorphine, and erected into a separate barony.[14] On 30 July 1618, as Sir George Forrester of Corstorphine, he had

[1] Confirmed 22 October 1599. [2] *P. C. Reg.*, vi. 126. [3] *Reg. Mag. Sig.* [4] *Reg. of Deeds*, 418, 8 June 1629. [5] *Acts and Decreets*, ccxxxvi. 115. [6] *P. C. Reg.*, ix. 364. [7] *Ibid.*, 172. [8] *Ibid.*, 117. [9] *Edin. Sasines*, xiii. 389. [10] *Reg. of Deeds*, 360, 16 June 1624. [11] *Gen. Reg. Inhibitions*, 12 February 1620. [12] *Ibid.*, second series, iv. 98. [13] *Reg. Mag. Sig.* [14] *Ibid.*

a charter of novodamus of the lands and barony of Corstorphine, by which the parish church was disjoined from the Abbey of Holyrood and made into a separate charge, of which the patronage was conferred on Sir George.[1] He was served heir to his uncle James 17 May 1622, and was created a Baronet 17 November 1625.[2] He sat in Parliament for Edinburgh 1625 and 1628-33, and was Sheriff of the county. On 30 July 1622 he resigned the superiority of Nether Barnton in favour of James Libberton of Leyden,[3] and on 28 July 1625 he acquired from the Archbishop of Glasgow certain lands in West Niddrie, co. Linlithgow, and on the same day he had a charter of the barony of Saughton, which had formed part of the great possessions of the Bellendens, and which were now being broken up.[4] On 22 July 1633 he was created LORD FORRESTER OF CORSTORPHINE, with remainder to his heirs-male whomsoever.[5] On 29 March 1634 he had a charter of the barony of Drummond or Drymen and of Airth to himself, his heirs-male and assigns.[6] In July 1634 Clerkington was sold to Lawrence Scot of Harperrig, but on 18 July 1635 Lord Forrester acquired the lands of Hayning, near Manuel, and the lands of Torheid, with the forest of the Torwood, which were erected into a barony of Torwoodheid. These lands were resigned by Sir William Ross of Murieston, who had married Margaret Forrester, daughter of Sir James Forrester of Torwoodheid, the head of another branch of the family. On 21 August 1643 Lord Forrester acquired from the Hamiltons the lands of Grange and Philipston, co. Linlithgow.[7] Towards the close of his life Lord Forrester entered into certain important arrangements in regard to his title and estates, which it is necessary to mention somewhat in detail. Having no surviving male issue, he resigned his estates of Corstorphine, Saughton, and Torwoodheid in favour of James Baillie, eldest son of Major-General William Baillie of Lethame, who had married his fourth daughter Johanna: James Baillie got a charter of these lands 1 March 1650, Torwoodhead being destined to James Baillie, his brothers William, Adam, Alexander, and the other sons of the Major-General,

[1] *Reg. Mag. Sig.* [2] *Reg. of Baronets*, f. 67. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] *Ibid.* [7] *Ibid.*

and the heirs-male of their bodies, whom failing, to the heirs whomsoever of James; Corstorphine and the rest of the lands being provided to James Baillie and the heir-male to be procreated between himself and his wife Jean Forrester, bearing the name and arms of Forrester; whom failing, to William Baillie and similar heirs of himself and his future wife Lilias, Lord Forrester's fifth daughter; whom failing, to the senior heir-female, without division, of James and Jean, and the heirs of her body; whom failing, to their other daughters successively without division; whom failing, to similar heirs of William and Lilias; whom failing, to the heirs of line of the said James. In the following year Lord Forrester resigned his Peerage and obtained a re-grant thereof 5 July 1651, with a similar limitation. Lord Forrester died in 1654. He married (contract 27 November and 1 December 1606[1]), Christian, daughter of Sir William Livingston of Kilsyth, and had by her:—

1. John, Master of Forrester,[2] who married, in 1634, Agnes, daughter of Sir Alexander Falconer of Halkerton, and widow of Sir Alexander Keith of Benholm.[3] He died *vitâ patris* and *s. p.*
2. *Helen*, married, as his second wife, to William, tenth Lord Ross.
3. *Margaret*, married, first, to Alexander Telfer of Redhouse, burgess of Edinburgh;[4] secondly, to John Schaw of Sornbeg.[5]
4. *Christian*, married, first (contract 7 and 8 February 1631), to James Hamilton of Grange, with issue a daughter, Christian, mentioned later;[6] secondly, to John Wauch, minister of Borrowstounness, who died in 1674.[7]
5. *Joanna*, married (contract 15 December 1649) to James Baillie, eldest son of Major-General William Baillie of Letham. They succeeded under the above-mentioned deeds.
6. *Lilias*, born 18 September 1634;[8] married to William Baillie, the second son of Major-General Baillie.

[1] *Reg. of Deeds*, cxcviii; 20 August 1612. [2] *Reg. Mag. Sig.*, 10 July 1634. [3] *Gen. Reg. Inhibitions*, 8 October and 1 December 1634; *P. C. Reg.*, second series, v. 520. [4] *Fountainhall's Journal*, Scot. Hist. Soc., 191. [5] *Gen. Reg. Inhibitions*, 6 September 1661 and 21 March 1671. [6] *Ibid.*, 20 June 1635. [7] *Edin. Sasines*, x. 31. [8] Corstorphine Register.

II. James Baillie was the eldest son of General Baillie of Lethame aforesaid by his wife Janet Bruce (who married, secondly, Sir Richard Nasmyth of Posso, and separated from him[1]). General Baillie himself was the natural son of Sir William Baillie of Lamington by a daughter of Sir Alexander Home of North Berwick, whom Sir William afterwards married, but his son being born during his former marriage was not thereby legitimated. After the death of the first Lord Forrester, James Baillie found himself in possession of the title and the extensive estates of the family, under the arrangements above mentioned, which had practically disinherited the three elder daughters in favour of his wife. In 1652 a son had been born to them, but died in infancy, and Janet Forrester herself did not long survive. Her husband married again, before July 1661, Janet, daughter and co-heir of Patrick, Earl of Forth and Brentford, by his first wife, Jane Henderson. A zealous loyalist, Lord Forrester was in 1654 fined £2500 sterling under Cromwell's Act of Grace and Indemnification. But he was a man of extravagant habits and dissolute life; he had seduced his niece Christian Hamilton, the daughter of the Hamiltons of Grange above mentioned, who had married, contrary to the wishes of her family, an Edinburgh burgess, James Nimmo.[2] Mrs. Nimmo was a woman of violent temper, and having quarrelled with Lord Forrester, she, on 26 August 1679, stabbed him, it is said, with his own sword, in the garden of Corstorphine. He died immediately, and she was speedily captured and put in prison. On the 29 September she succeeded in escaping, but on the next day was again taken; and on 12 November was executed at the Cross of Edinburgh. James Baillie, Lord Forrester, had by his first wife, Jonet Forrester, one son:—

1. *William*, born 8 February 1652, died in infancy.

By his second wife he had a family, who all took the name of their mother, Ruthven.

2. *Charles*, born 21 July 1661, died young.
3. *Edward*, born 19 February 1663; an officer in the Life Guards. He is styled Earl of Brawfoord (Brentford)

[1] *P. C. Decreta*, 8 April 1669. [2] He was not without suspicion of incest with his sister-in-law Lilias; *Baillie's Letters*, 367.

12 October 1674.[1] This was the title of his grandfather, who died in 1651, but he had no right to it. He married Martha Temple, who had an allowance of £200 a year out of the lands of Corstorphine;[2] and died in 1682.

4. *John*, born 9 May 1666, died young.
5. *Clara*, born 16 January 1665; married, first, 11 October 1683, to Andrew Dick, advocate; secondly, to —— Murray of Spot.
6. *Patricia*, born 28 October 1668; living in 1694.[3]

III. William Baillie, brother of the foregoing, *de jure* third Lord Forrester, was born 12 December 1632. Under the re-grant of 1651 he was entitled to the dignity, but he never assumed the title. He married, as before stated, Lilian, youngest daughter of the first Lord Forrester, and died in May 1681, having had by her a son,

1. William, who succeeded.

IV. William, fourth Lord Forrester. His vote for a member of Parliament was objected to in 1681, after his father's death, on the ground that he was a Peer. He 'disclaimed' his Peerage, but as he styled himself Lord Forrester of Corstorphine, he was ordered by Parliament and the Privy Council to relinquish the title till he had instructed his right. Then, but not till then, did he produce 'all at once,' as Riddell says, on 31 August 1698, the re-grant of 1651, which was ordered to be recorded. Riddell points out the singular fact that the right under the re-grant of 1651 does not seem to have been known during the lifetime of James, the second Lord, as the pretensions of the latter to the Peerage were questioned in 1676.[4]

He died in 1705, having married, before 1684, Margaret, born 14 April 1661, daughter of Sir Andrew Birnie of Saline, one of the Judges of the Court of Session. By her he had:—

1. *Andrew*, born 11 May 1686,[5] died an infant.
2. George, fifth Lord Forrester.
3. *William*, born 6 September 1689,[6] died young.

[1] *Gen. Reg. Inhibitions.* [2] Fountainhall's *Decisions*, i. 780. [3] *Edin. Sasines*, lx. 202. [4] Riddell's *Peerage and Consist. Law*, i. 125; Fountainhall's *Decisions*, i. 265. [5] Corstorphine Reg. [6] *Ibid.*

4. *Andrew* (*secundus*), born 27 March 1692,[1] a major in the Horse Guards; died unmarried.
5. *James*, born 7 October 1695,[2] a lieutenant in the Navy, died unmarried.
6. *John*, a captain in the Navy 6 March 1728; was commander of H.M.S. *Kinsale*, and died in the Isle of Pinos, near Cuba, 12 January 1737. He married Elizabeth, sister of Sir Charles Tyrrel, and had by her a son,

   (1) WILLIAM, who succeeded as seventh Lord Forrester.

7. *Janet*, the eldest of the family, born 21 November 1684, died young.[3]
8. *Janet* (*secunda*), born 28 October 1690, died unmarried.[4]
9. *Margaret*, born 6 December 1694, married to Patrick Haldane, advocate, afterwards of Gleneagles, who died 10 January 1769. Their son *George* was Governor of Jamaica, where he died in 1759 unmarried.
10. *Lilias*, married to William Stirling of Herbertshire, co. Stirling.

V. GEORGE, fifth Lord Forrester, born 23 March 1688,[5] succeeded his father in 1705, and voted at the general election of Scottish Representative Peers in 1706, but as he was then a minor his vote was set aside by the House of Lords. He served in the Army under Marlborough, was lieutenant-colonel of the 26th Foot (Cameronians) at the battle of Preston 13 November 1715, and was wounded there; colonel of the 30th Foot January 1716; of the second troop of Horse Grenadier Guards 17 July 1717; and of the fourth or Scottish troop of the same regiment April 1719, in which position he remained till his death in France 17 February 1726-27. He married, in or before 1724, Charlotte, daughter and co-heir of Anthony Rowe of Oxfordshire. She, who was a Lady of the Bedchamber to the Princess of Orange, died in Holland in February 1742-43. By her he had issue:—

1. GEORGE, sixth Lord Forrester.
2. CAROLINE, Baroness Forrester.
3. *Harriet*, married to Edward Walter of Stalbridge, co. Dorset, M.P. for Milborne Port 1754-74. She died

[1] Corstorphine Reg. [2] *Ibid.* [3] Edin. Reg. [4] Corstorphine Reg. [5] Edin. Reg.

in Bruton Street, London, 5 March 1795, leaving issue one daughter :—

(1) *Harriet Walter*, married, 28 July 1774, to James Bucknall (Grimston), third Viscount Grimston in the Peerage of Ireland. He was created, 8 July 1790, Baron Verulam of Gorhambury in the Peerage of Great Britain, and died 30 December 1808. She died 7 November 1786, having had issue :—

i. James Walter.
ii. *Harriet*, born 14 December 1776.
iii. *Charlotte*, born 16 January 1778.

VI. George, sixth Lord Forrester, was appointed lieutenant in the Navy in 1735, captain 24 September 1740, and commander in 1744. In March 1746 he was tried by courtmartial and cashiered. He died unmarried at Staines 26 June 1748.

VII. William, seventh Lord Forrester, who succeeded as heir-male, was the only son of John Forrester, the sixth and youngest son of the fourth Lord. He died at Calne, Wilts, November 1763, having married a lady whose Christian name was Hannah, who survived him many years, and died at Calne 15 November 1825, aged eighty-four.[1] They had no issue, and the succession opened, the heirs-male of the fourth Lord having become extinct, to

VIII. Caroline, *suo jure* Baroness Forrester, the elder daughter of the fifth Lord. She succeeded under the regrant of 1651 as heir of line of the fifth Lord. She married her cousin, George Cockburn of Ormiston, son of John Cockburn of the same, who had married, as his second wife, Isabella Rowe, sister of Charlotte Rowe, the wife of the fifth Lord Forrester.[2] George Cockburn was Comptroller of the Navy 1756-70, and died at Brighton 23 July 1770. The Baroness survived him fourteen years, and dying in Portland Street, London, 25 February 1784, was buried at Hackney 2 March. They had issue :—

1. Anna Maria, Baroness Forrester.
2. *Mary*, married, 4 October 1776, to the Rev. Charles Shuttleworth, youngest brother of Robert Shuttle-

[1] *Complete Peerage.* [2] *Ormiston's Letters*, Scot. Hist. Soc., xlii.

worth of Forcett, county York, and died *s. p. vitâ matris.*

IX. ANNA MARIA, *suo jure* Baroness Forrester, died unmarried at Bedgebury, co. Kent, 31 December 1808.

X. JAMES WALTER (GRIMSTON), the grandson of Harriet Forrester, youngest daughter of George, fifth Lord Forrester, was born 26 September 1775, and succeeded his cousin as eighth holder of the title of Lord Forrester of Corstorphine in 1808; about three weeks later, 30 December 1808, he succeeded his father as Baron Verulam of Gorhambury. He was created, 24 November 1815, VISCOUNT GRIMSTON and EARL OF VERULAM. He married, 11 August 1807, Charlotte, only daughter of Charles, first Earl of Liverpool, and died, 17 November 1845, at Gorhambury. His widow died 16 April 1863, in her eightieth year. They had issue:—

1. JAMES WALTER, who succeeded.
2. *Rev. Edward Harbottle*, rector of Pebmarsh, Essex, born 2 April 1812; married, 15 June 1842, Frances Horatia, eldest daughter of John Philip Morier; and died 4 May 1881, leaving issue.
3. *Robert*, born 18 September 1816; died 7 April 1884.
4. *Charles*, captain Coldstream Guards, born 3 October 1818; died *s. p.* 8 October 1856.
5. *Rev. Francis Sylvester*, born 8 December 1822; rector of Wakes Colne, Essex; married, 1 February 1847, Catherine Georgiana, fourth daughter of John Philip Morier, and died 28 October 1865, leaving issue.
6. *Katherine*, married, first, 14 January 1834, to John Foster Barham of Stockbridge, Hants, who died 22 May 1838; secondly, 4 June 1839, to George William Frederick, fourth Earl of Clarendon, K.G., and died 4 July 1874, leaving issue.
7. *Emily Mary*, born 1815, married, 5 September 1835, to William, second Earl of Craven, and died 21 May 1901, leaving issue.
8. *Mary Augusta Frederica*, married, 3 October 1840, to Jacob, fourth Earl of Radnor, and died 5 April 1879, leaving issue.
9. *Jane Frederica Harriet Mary*, married 4 September

1845, to James Dupré, third Earl of Caledon, and died 30 March 1888, leaving issue.

XI. James Walter, Lord Forrester of Corstorphine, Earl of Verulam, etc., was born 20 February 1809; married, 12 September 1844, Elizabeth Joanna, daughter of Major Richard Weyland; she died 5 July 1886 at Gorhambury. He died there 27 July 1895, aged eighty-six. They had issue:—

1. James Walter, who succeeded.
2. *William*, commander in the Navy; born 7 January 1855, died unmarried 10 May 1900.
3. *Rev. Robert*, born 18 April 1860; married, 20 August 1896, Gertrude Mary Amelia, daughter of Rev. Charles Villiers, rector of Croft, co. York, and has issue.
4. *Harriet Elizabeth*, married, 24 March 1885, to Major Francis Harwood Poore, R.M.A., and died 15 August 1888, leaving issue.
5. *Jane*, born 12 December 1848; married, 25 February 1897, to Sir Alfred Jodrell, Bart.
6. *Maud*, born 1857; married, 20 December 1881, to the Hon. Paulyn Francis Cuthbert Abney Hastings (who assumed in 1887 the surnames of Rawdon-Hastings), brother of the Earl of Loudoun, with issue.

XII. James Walter, Lord Forrester of Corstorphine, Earl of Verulam, etc., was born 11 May 1852; was lieutenant 1st Life Guards, and hon. major Herts Yeomanry Cavalry; married 30 April 1878, Margaret Frances, widow of Mackintosh (elder brother of the Mackintosh *qui nunc est*), eldest daughter of Sir Frederick Ulric Graham, third Baronet of Netherby, and has issue:—

1. James Walter, Viscount Grimston, born 17 April 1880.
2. *Helen*, born 22 February 1879.
3. *Hermione*, born 9 December 1881; married, 28 September 1904, to Bernard Buxton, lieutenant R.N., second son of Geoffrey Fowell Buxton of Dunston Hall.
4. *Aline*, born 7 November 1883.
5. *Elizabeth*, born 21 July 1885.
6. *Sybil*, born 24 July 1887.
7. *Vera*, born 2 May 1890.

CREATIONS.—22 July 1633, Lord Forrester of Corstorphine, in the Peerage of Scotland; 29 May 1719, Baron Dundoyne and Viscount Grimston, in the Peerage of Ireland; 8 July 1790, Baron Verulam and Gorhambury, in the Peerage of Great Britain; 24 November 1815, Viscount Grimston and Earl of Verulam in the Peerage of the United Kingdom.

ARMS.—These are not recorded in the Lyon Register, and many variations are to be found. The chevron borne on his shield by Sir Adam Forrester was dropped by the succeeding generations, and the majority of the sixteenth and seventeenth century armorial MSS. give the arms simply as Argent, three hunting horns gules. The Forman (Lyon Office) MS. gives Argent a fess gules between three hunting horns sable, which is followed by the draughtsman of the 'Peers' Arms' MS. and by Pont, save that the latter makes the fess sable. Nisbet gives the arms with the fess gules as belonging to the Lord Forrester of his day. But another version given in 'Peers' Arms' has the following:—Quarterly, 1st and 4th, paly of six argent and gules, in a dexter canton of the first a gillyflower within a double tressure flory counterflory of the second, for *Livingstone of Kilsyth*; 2nd and 3rd, argent, three hunting horns sable garnished vert stringed gules, for *Forrester*; over all on an escutcheon of pretence, sable, nine stars 3, 3, 2 and 1, for *Baillie*.

CREST.—A hound's head erased proper was borne by Sir James Forrester in 1547,[1] but in 'Peers' Arms' above quoted it is given in one version as a demi-goat proper, chained gules, collared, horned and unguled or; in another as a hound's head erased or, collared gules.

SUPPORTERS.—Nisbet says that Sir Archibald Forrester's seal in 1482 had as supporters two dogs.[2] The Forman (Lyon Office) MS. gives the supporters as a beagle on the dexter and a greyhound on the sinister, both collared gules, and Nisbet says that these were the supporters of the Lord Forrester of his day. This version is followed by the

[1] Macdonald's *Armorial Seals*, No. 974. [2] These are not mentioned in the description of this seal in Macdonald's *Armorial Seals*, No. 968.

second representation in 'Peers' Arms,' but in the first are given two goats chained, collared, horned and unguled as in the crest.

MOTTO.—With the goat crest is given, *The deed shall show*;[1] with the hound's head crest, *Blaw hunter, blaw thy horn.*

[J. B. P.]

[1] This is suggestive of Fleming, Earl of Wigtown, with which family the Forresters were not connected.

RUTHVEN, EARL OF FORTH

WILLIAM RUTHVEN of Ballindean was the only son of William, first Lord Ruthven, by his second wife Christian Forbes. One writer[1] states that he was legitimated in 1518, but he received a charter of the town of Kettins in feu from John, Earl of Buchan, as son of William, Lord Ruthven, and Christian Forbes, his wife, 26 January 1527-28.[2] He resigned all his lands and had a charter to himself, and his heirs-male, with remainder to James, Henry, William and Alexander, sons of William, second Lord Ruthven, on 10 June 1540.[3] He married Agnes Crichton, daughter of Sir John Crichton of Strathurd,[4] who with him had a charter of the lands of Blackferkill, 11 June 1537.[5] She survived him, and was married, secondly, to Mr. Andrew Abercromby.[6] William Ruthven died before June 1566,[7] leaving issue :—

1. WILLIAM, who succeeded.
2. *Janet*, married to Adam Stewart, prior of Charterhouse, natural son of King James V.[8]
3. *Christian*. 4. *Margaret*. 5. *Elizabeth*.[9]

[1] *Ruthven Correspondence*, lviii. [2] Confirmed 23 March, *Reg. Mag. Sig.* [3] *Reg. Mag. Sig.* [4] Protocol Book of Robert Rollock, ff. 5*b*, 50*a*. [5] *Reg. Mag. Sig.* [6] *Acts and Decreets*, xxii. 402. [7] *Ibid.*, xiii. 462. [8] *Edin. Com. Decreets*, i. 58. [9] These three sisters named in same Decreet.

Sir William Ruthven of Ballindean succeeded when very young. Slain in Dundee, and buried in the kirk of Perth 12 July 1603.[1] Married Catherine Stewart, daughter of John, fourth Lord Innermeath,[2] with issue :—

1. William.
2. Patrick, Earl of Forth, of whom later.
3. *Alexander*.[3]
4. *Christian*, married to Sir James Lundie, son of William Lundie of that Ilk.[4] She died before June 1634.[5]

William Ruthven of Ballindean. He sold Ballindean and acquired the estate of Gardyne. He was retoured heir to his father 3 March 1621,[6] and survived until after 1634.[7] Married Christian Barclay[8] of Towie, and had issue :—

1. William Ruthven of Gardyne. In 1641, in his lifetime, the Act against the surname of Ruthven was abolished as far as the Ballindean family were concerned.[9] He was retoured heir to his brother Sir Francis 18 September 1655, and died before 1664, leaving two sons :—
   (1) Patrick, flar of Gardyne, father of William, retoured heir to his father and grandfather 20 September 1664.
   (2) *Captain John Ruthven*, retoured tutor to his nephew 7 November 1663.
2. *Sir Francis Ruthven* of Carse, Knight. Entered the Swedish service, and was Governor of Memel. He afterwards entered the service of King Charles I., 1639. He was fined £3000 in 1654, reduced to £1000, 1655.[10] His brother, William Ruthven of Gardyne, was retoured to him as heir of conquest, 18 September 1655.[11]
3. *Colonel Sir John Ruthven* of Dunglass.[12] He entered the Swedish service, was commander of a regiment of cavalry in 1636, and a major-general in the same year. He later entered the service of Charles I. He

[1] *Chronicle of Perth*, 9. [2] See Lord Forth's birthbrieve. [3] *Reg. of Deeds*, xlii. 301. [4] *Forfar Inhibitions*, 1 March 1602. [5] *Reg. of Deeds*, ccccxciv., 14 July 1636. [6] *Retours, Forfar*. [7] *Ruthven Correspondence*. [8] *Ibid*. [9] *Acta Parl. Scot.*, v. 460. [10] *Ibid.*, vi. 820, 846; *Ruthven Correspondence*, 47. [11] *Retours*. [12] Either he or his nephew must have been the John Bandane *alias* Ruthven charged in 1624 with the abduction of Elizabeth, daughter of Patrick Barclay, flar of Towy; see *P.C. Reg.*, viii. 416, 421-431.

died before 1649, having married, first, Jean Ramsay, by whom he had *John* and *Helen*;[1] secondly, Barbara Leslie, eldest daughter of Alexander, first Earl of Leven.[2] She is said to have been married, secondly, to Hepburn of Waughton:[3]—

(1) *Sir William Ruthven* of Dunglass, retoured heir to his father 12 June 1649, married Katherine Douglas, daughter of William, first Marquess of Douglas,[4] with issue:—
  i. *Mary*, married to Sir Robert Douglas of Ardit, fourth Baronet.[5]
  ii. *Barbara*, married to Sir Hugh Paterson of Bannockburn, Bart.[6]
  iii. *Christian*, died at Edinburgh, aged ninety, in 1755.[7]

(2) *Alexander*, mentioned as second son in the Earl of Leven's settlement, 1642.[8]

(3) *Sir Francis Ruthven* of Redcastle, created a Baronet 11 July 1666.[9] Married Elizabeth Ruthven, second daughter of Thomas, first Lord Ruthven of Freeland, and had issue.[10]

4. *James*, mentioned with his brother in an assault upon a messenger in 1618.[11]
5. *Margaret*.[12]

I. Patrick Ruthven, Earl of Forth and Brentford, was the second son of William Ruthven of Ballindean, and was born about 1572-73.[13] He entered the service of Gustavus Adolphus, King of Sweden, and was a captain in February 1615; received a commission to levy one thousand men in Scotland. He was present at the siege of Pleskow in Russia, and in 1616 was in that country, commanding an East Gothland troop of 300 men. In June 1618 he obtained a birthbrieve from King James vi.[14] and was appointed colonel of a Smaland regiment. In 1621 he was present at the siege of Riga,[15] and then commanded the Kronsberg Regiment. In 1626 he took part in the Swedish war in Prussia, and was at the battle of Dirschau, 8 August 1627, being knighted 'in the middest of his whole army, in the King's tent, with great honour and triumph,' by Gustavus Adolphus there, 23 September. He continued with the

[1] *Reg. of Deeds*, ccccxxvi., 26 February 1630. [2] Fraser's *Melvilles*, i. 438. [3] Macfarlane's *Gen. Coll.* [4] *Douglas Book*, ii. 425. [5] Douglas's *Baronage*. [6] *Ibid.* [7] *Scots Mag.* [8] Fraser's *Melvilles*, i. 436. [9] *Complete Baronetage*. [10] *Vide* Ruthven of Freeland. [11] *P. C. Reg.*, ix. 402-403. [12] *Reg. of Deeds*, ccccxciv., 14 July 1636. [13] *Ruthven Correspondence*, Roxburghe Club, ii., on which this article is chiefly based. [14] *Ibid.*, 2. [15] *Ibid.*, vii.

Swedes, and in 1632 was Governor of Marienburg, and oldest colonel of the Scots.[1] In that year he was Governor of Ulm, and had forced the Catholic towns to pay tribute. For this he was rewarded by the 'Graveshaft or Earldom' of Kirchberg, and later became a major-general. In 1632 he was present at the siege of Landsberg, and in 1633 surprised the Bavarians near Erbach. He visited Scotland and England and France in 1634-35, but in September 1635[2] was present at the battle of Nördlingen, and later was lieutenant-general in the army of General Banier, accompanied him in his retreat, and defeated the Catholics at Dömitz, Lutzen, Goldberg, and Kösen. In 1636 he was summoned to England, and received, 25 November, a charter of the lands of Yair,[3] and next year was Muster-Master General of Scotland,[4] and was later Governor of Edinburgh Castle. He was created, in 1639, LORD RUTHVEN OF ETTRICK.[5] He refused to surrender the Castle to the Covenanters in 1640, and was forfaulted by Act of Parliament 11 June, but stood siege until 15 September, he himself being 'spoyled with the Scurvey,' leaving then by an honourable capitulation with 137 men. His forfeiture was annulled 9 November 1641, and the use of the name Ruthven (forbidden in November 1600) was restored to the family of Ruthven of Ballindean 17 November.[6] He was created EARL OF FORTH, with remainder to the heirs-male of his body, by patent at York 27 March 1642,[7] and joined the King at Shrewsbury in October, being created Field-Marshal, and on the death of the Earl of Lindsey had chief command at the battle of Edgehill, and was present at that of Brentford, 15 November 1642. He was wounded at the siege of Gloucester and again at Newbury, 20 September 1643, and was created, 27 May 1644, EARL OF BRENTFORD in the Peerage of England. He was again declared forfeited 26 July.

He was once more in arms in 1645, took part in the victory of Cropredy Bridge on the 29th, and at Newbury, 27 October, he was again wounded. He was removed from his place of General-in-chief, and was succeeded by Prince Rupert, but

[1] *Ruthven Correspondence*, xi. [2] Cortachy MSS. [3] *Reg. Mag. Sig.* [4] *P. C. Reg.*, 2nd ser., vi. 342. [5] Balfour's *Annals*, ii. 362. [6] *Acta Parl. Scot.*, v. 460. [7] *Reg. Mag. Sig.*

on March 26, 1645, received a grant of an honourable augmentation to his arms, and was made Chamberlain to the Prince of Wales. He accompanied the Prince to Jersey and France, and in 1649 was sent on a royalist mission to Sweden. He accompanied Charles II. to Scotland in 1650, but was under danger of arrest until 7 December 1650, when an Act of Parliament was passed in his favour.[1] He was an excellent soldier and 'a man of unquestionable courage and integrity; yet he was now (1644) much decayed in his parts, and with the long-continued custom of immoderate drinking dozed in his understanding, which had been never quick and vigorous, he having been always illiterate to the greatest degree that can be imagined.'[2] He died at Dundee 2 February 1651,[3] and was buried in Grange Durham's Aisle in Monifieth Church.[4] The name of his first wife is not known, but that he was married three times is certain.[5] He married, secondly, Joanna Henderson, sister of Colonel John Henderson, who commanded Dumbarton Castle in 1640,[6] and thirdly, in 1633, Clara Berner, daughter of John Berner of Saskendorff and Ventzin in Mecklenburg, and Anna Dyerlink, his wife. She was involved in a long lawsuit about her husband's estate, and died before 26 November 1679.[7] He left issue:—

1. Alexander, Lord Ettrick (by second wife). He was with his father at the siege of Edinburgh. Died *vitâ patris* before 8 August 1641, having married, and had a son,

   (1) Patrick, mentioned in his grandfather's will, 1649.

2. *Patrick* (by third wife), born 1648, died 4 September 1650.
3. *Elspeth* (probably by first wife), who was married, first, to William Lundie of that Ilk in Fife; secondly, to George Pringle of Balmungo, brother to James Pringle of Whytbank, and had issue by each.
4. *Christiana* (by first wife), who was married, first in 1628, to Sir Thomas Kerr of Fernilee, who died in 1637; secondly (contract dated 21 March and 28

[1] *Acta Parl. Scot.*, v. 696. [2] Clarendon's *Hist. of the Rebellion.* [3] *Ruthven Correspondence*, xl. [4] Balfour's *Annals*, iv. 256. [5] Lady Brentford's Petitions, Cortachy MSS. [6] *Ruthven Correspondence*, iii. [7] *Complete Peerage.*

October 1640[1]), to Sir Thomas Ogilvy, second son of James, first Earl of Airlie.

4. *Janet* (by second wife), married in 1661 to James Baillie, second Lord Forrester (*see that title*), and had issue, who took the name of Ruthven.
5. A child (by third wife), born in 1634, died in infancy.

CREATIONS.—1639, Lord Ruthven of Ettrick; 27 March 1642, Earl of Forth, both in the Peerage of Scotland; 27 May 1644, Earl of Brentford, in the county of Middlesex, in the Peerage of England.

ARMS.—There is a note of the Earl's arms in the College of Arms at the time he got supporters *penes* Sir Edward Walker, Garter, in 1645: Paly or and sable, on a canton or a white rose of England imposed upon a red rose within a double tressure flory counterflory gules as an honourable augmentation.

SUPPORTERS.—Two goats proper collared with a double tressure as in the arms.

No crest or motto given.[2]

[A. F. S.]

[1] Cortachy MSS. [2] *Ex inform.* W. A. Lindsay, Windsor Herald. See also *Ruthven Correspondence*, 90.

FRASER, LORD FRASER

FROM the situation of the estate of Cornton in Stirlingshire, and in the neighbourhood of Touch-Fraser, it is probable that the Frasers of Cornton were cadets of the Touch family,[1] which, with that of Oliver Castle in Peeblesshire, represent the two oldest families of the name known to have settled in Scotland.[2] Alexander Fraser of Cornton, the first known, may have been a younger brother of Sir Richard of Touch-Fraser,[3] and was probably identical with an Alexander Fraser, who did homage to Edward I. at Berwick in 1296, and who, being then a knight, must have been a different person from Sir Alexander Fraser of Touch-Fraser, Chamberlain of Scotland in the reign of Robert I., the latter not having been knighted before 1308.[4] For this reason, too, he was probably the same person as the Sir Alexander Fraser stated by Barbour to have been taken prisoner at the battle of Methven in 1306.[5] If so, he probably perished by the hand of the executioner, for his name does not again appear in any document except a demand for his lands by John de Luc in the same year, the wording of which might imply that he was dead.[6] The next known is—

[1] *Frasers of Philorth*, ii. 165, 166. [2] *Ibid.*, i. 38. [3] *Ibid.*, ii. 166. [4] Stevenson's *Historical Documents*, ii. 66. [5] *The Bruce*, Spalding Club ed., 40. [6] *Frasers of Philorth*, i. 52, and ii. 165.

THOMAS, who, after 1366, had a charter from William de Keith, Marischal of Scotland, of the lands of Kinmundy (since called Nether Kinmundy) in the barony of Alden (now Aden) in the parish of Longside, Aberdeenshire, in excambion for Pittendreich, near Cornton, in Stirlingshire.[1] He died before 1392.[2] He, or his successor of the same name, appears as Thomas Fraser of Cornton, in association with Sir Alexander Fraser of Philorth, the Sheriff of Aberdeen, John Fraser of Forglen, and others, in 1387-88, in the settlement of a dispute between Adam de Tyninghame, Bishop of Aberdeen, and John, Laird of Forbes.[3]

The widow of a Fraser of Cornton, who died before Whitsunday 1427, married James Skene of that Ilk before 1428.[4] She was dead in 1458.[5] From 1428 to 1435 the lands of Cornton were in the occupation of King James I., who, during that period, paid annually £6, 13s. 4d. to Skene for the terce lands belonging to his wife.[6]

THOMAS FRASER of Cornton, grandson of the last mentioned, according to Lord Saltoun, from 1435 to 1450 received £20 yearly in Exchequer in compensation for the King's occupancy of Cornton,[7] and in 1451 and three following years, the Crown being now in possession of the earldom of Mar, he received the rents of 'Mukwale' (since called Castle Fraser) in the parishes of Midmar and Cluny, Aberdeenshire, in part payment for the above allowance.[8] On 26 October 1454 he resigned Cornton into the hands of King James II.,[9] and the next day the King granted him a charter of the lands of Stanewod (Stoneywood) near Aberdeen, and Muchall, thereby united into a barony, in exchange for Cornton,[10] the whole interests of the family being thus transferred to Aberdeenshire. Thenceforward he and his successors were styled by either of those titles indifferently. He was

[1] *Collections of Shires of Aberdeen and Banff*, 404. It is regretted that the Castle Fraser Charter-chest, which contains this charter, was not available for the purpose of further elucidating the earlier history of the family. [2] Spalding Club *Misc.*, v. 319. [3] *Coll. Aberdeen and Banff*, i. 511, and iv. 378. [4] *Exch. Rolls*, iv. 444 and 467. [5] *Memorials of Family of Skene of Skene*, 21. [6] *Exch. Rolls*, vi. pref. lxxvi. [7] *Ibid.* [8] *Ibid.* [9] Inventory of Writs delivered to Charles, Lord Fraser, *penes* Sir W. Fraser's Trustees, 23 July 1703. [10] Inventory *ut sup.*; *Acta Dom. Conc.*, xv. 40.

alive in 1474. The name of his wife is not known, but he left a son and successor,

ANDREW FRASER of Stoneywood, who was infeft in Stanewod and Muchall as his father's heir in 1476.[1] He had a Crown charter of lands in the barony of Stanywood to him and Muriel Sutherland his spouse on 21 November 1501,[2] and was knighted before 16 April 1504.[3] He had a new royal charter of Stanywood and Muichellis (in which he seems not to have been styled knight) 30 December 1503.[4] He died on or about 1 June 1505.[5]

By the said Muriel Sutherland, or perhaps by a previous wife, he had:—

1. THOMAS, his successor.
2. *Alexander*, witness to a charter of his brother 29 June 1535,[6] and mentioned in 1479 and 1480.[7]

THOMAS, of Stoneywood. He was in his father's lifetime styled 'of Kinmundie,'[8] and was served heir to his father in the barony of Stanewod and Kynmondy on 30 October 1505.[9] He and his son Andrew had remissions 11 February 1527-28[10] for treasonably absenting themselves from the raids of Solway and Wark. He had a royal charter on 22 May 1528 of the barony of Alathy,[11] and on 5 July 1531[12] a charter from John Gordon of Lochinver of the lands of Wester Corse and Norham, all in the county of Aberdeen. He died between Martinmas 1535 and February 1535-36.[13]

He married, first, before 1494, a lady whose name is not ascertained;[14] and secondly, Giles, daughter of Robert Arbuthnott of Arbuthnott, relict of Henry Graham of Morphie,[15] and of Andrew Strachan of Tibbertie.[16]

By first wife he had issue:—

1. ANDREW, who succeeded.

[1] *Exch. Rolls*, ix. 678. [2] *Reg. Mag. Sig.* [3] *Antiq. of Aberd. and Banff*, iii. 448. [4] Inventory *ut sup.*; *Treasurer's Accounts*, ii. 180. [5] *Retour* quoted *infra*. [6] *Reg. Mag. Sig.*, 30 June 1535. [7] *Acta Dom. Conc.*, 19 January 1479, and 16 June 1480. [8] *Antiq. of Aberd. and Banff*, iii. 551. [9] *Ibid.*, iii. 221. [10] *Reg. Sec. Sig.*, ix. 19. [11] *Reg. Mag. Sig.* [12] *Ibid.*, 14 July 1531. [13] *Exch. Rolls*, xvi. 615, compared with *Reg. Mag. Sig.*, iii. 1547. [14] *Acta Dom. Conc.*, 324. [15] *Acta Dom. Conc. et Sess.*, ii. 55. [16] See vol. i. 287; Protocol Book of John Cristison, H.M. Reg. Ho., f. 71.

2. *Mr. John*, one of his nephew's curators, 1535-36.[1]

By his second wife he had issue:—

3. *Gilbert*, who had a charter to his father in liferent and himself in fee of the lands of Greencastle in Kincardineshire, in 1518.[2] He was alive in 1536.[3]

ANDREW, the eldest son, styled 'of Kinmundy' in his lifetime. He had a Crown charter of the lands of Lathindie and others, co. Aberdeen, 12 June 1532.[4] On 8 February 1535-36[5] he had a charter from his eldest son Andrew of the lands of Stanewod and Mukwell, which had been gifted to the younger Andrew by his grandfather Thomas, by charter 29 June 1535.[6] On 13 May 1546, he, with consent of his eldest son, disponed the lands of Wester Corse and Northam, in the parish of Coul, Aberdeenshire, to James Skene and Jean Lumsden, his wife.[7] He died in August 1549.[8] He married, first, before 21 July 1519, a daughter of John, sixth Lord Forbes;[9] and secondly, Marjory Hay, conjoined with him in a tack of the lands of Cairnbrogy, 7 June 1526.[10]

He left issue:—

1. ANDREW, who succeeded.
2. *William*, 'second son.'[11]
3. *Alexander*, executor nominate to his eldest brother; but he died shortly after him, and before intromitting with the estate.[12]
4. *Elizabeth*.[13]

ANDREW, the eldest son, styled 'of Stonywood,' had, as mentioned above, a grant from his grandfather of the principal estates in 1535, and was retoured his father's heir in Kinmundie 17 October 1549.[14] He died before 3 July 1563.[15] He married Margaret Irvine, 'natural and lawful' daughter of Alexander Irvine of Drum, to whom he, being under age, with consent of his curators, granted a liferent

[1] *Reg. Mag. Sig.*, 15 February 1535-36. [2] Arbuthnott Inventory. [3] Protocol Book of John Cristison, f. 71. [4] *Reg. Mag. Sig.* [5] Confirmed 15 February 1535-36, *ibid.* [6] Confirmed 30 June, *ibid.* [7] Confirmed 20 May 1546, *ibid.* [8] *Retour* cited below. [9] *Acta Dom. Conc. et Sess.*, iv. 17. [10] *Reg. Nigrum de Aberbrothoc*, 455. [11] Protocol Book of John Cristison, 143. [12] *Edinburgh Commissariot Decreets*, i. 391. [13] Protocol Book of John Cristison, 145. [14] *Retours, Aberdeen*, No. 8. [15] *Reg. Sec. Sig.*, xxxi. 144.

charter of Watertoun and Weltoun, 15 February 1537-38.[1] She survived him, and appears as defender in a civil action in 1587-88, where she is styled Margaret Irvine, Lady Watertoun, relict of . . . Fraser of Stoneywood.[2] She died in August 1603,[3] leaving issue by Andrew Fraser:—

1. *John*, styled son and heir-apparent in 1550.[4] He died *vitâ patris s. p.*
2. MICHAEL, who succeeded.
3. *Gilbert* 'of Waterton,' appointed executor-dative to his father 16 March 1564-65.[5] He is mentioned along with his mother in 1587-88.[6] Gilbert Fraser of Watertoun, and *John* his son, occur in 1608.[7] He died in June 1622.[8] John Fraser of Watertoun acquired part of Kinmundie in 1642.[9] He had three sons, *Francis*, *Andrew*, and *Alexander*, of whom Andrew Fraser of Kinmundie was sheriff-depute of Aberdeen for many years—in 1687 and onwards until 1707.[10]
4. *Christian*, married to Patrick Gordon, younger of Haddo, of which marriage the Earls of Aberdeen are descended.[11]

MICHAEL, styled 'of Stoneywood,' the eldest surviving son, appears to have been born in 1544. He was under age at his father's death, his precept of clare constat as his father's heir, dated 10 October 1565, stating that the lands had been in the Queen's hands for two years by reason of ward.[12] He had exemptions from hostings, assizes, etc., 7 February 1583-84,[13] 'being vexed with the gravel.' He died after Martinmas 1588, and before 18 January 1588-89.[14] He married Isobel (or Elizabeth), daughter of Duncan Forbes of Monymusk,[15] and by her (who survived him, and married, secondly, Walter Wood of Balbegno)[16] had:—

1. ANDREW, who succeeded, first Lord Fraser.

[1] *Reg. Mag. Sig.* [2] *Acts and Decreets*, cxiv. 240. [3] Aberdeen Burial Register. [4] Protocol Book of John Cristison, f. 161. [5] *Edin. Com. Decreets*, i. 391. [6] *Acts and Decreets, ut sup.* [7] *Gen. Reg. Inhibitions*, xxxv. 18. [8] Aberdeen Burial Register. [9] *Aberdeen Sasines*, xii. 74. [10] Spalding Club *Misc.*, v. 367, where John Fraser is styled 'of Kinmundy. [11] See vol. i. 85. [12] *Exch. Rolls*, xix. 543. [13] *Reg. Sec. Sig.*, l. 64. [14] *Aberdeen Hornings*, iv. 128, and v. 23. [15] *Reg. of Deeds*, xiii. 411; Douglas's *Baronage*, 39, and Macfarlane's *Gen. Coll.*, ii. 248. [16] *Acts and Decreets*, clix. 3.

2. *Thomas*, to whom his father granted the lands of Sauchok and Denis.[1] His name often occurs in the Privy Council Register. He married Catherine Hill,[2] and had issue. *Michael*, son of the deceased Thomas Fraser of Savock, occurs in 1628.[3]
3. *John*, to whom his father granted the lands of Little or Wester Clintertie, 3 September 1579.[4] He was alive in 1640.[5]
4. *William*, died in Aberdeen 10 November 1588.[6]
5. *Christina*, married, first (contract 21 October 1584), to Alexander Seton, younger of Meldrum, and had a daughter, ancestress of the Urquharts of Meldrum;[7] secondly, to Alexander Forbes of Fingask.[8]
6. *Catherine*, married Thomas Cheyne of Ranieston, afterwards of Pitfichie,[9] and had issue.[10]
7. *Isobel*.[11]

I. ANDREW, the eldest son, was under age at his father's death.[12] In his lifetime the house of Muchalls (since called Castle Fraser), one of the finest of the Aberdeenshire castles of that period, was greatly enlarged, the main portion, according to the date on the royal arms in the centre of the north front, having been built in 1576, the wings being added in 1617.[13] In 1621 he employed James Laper, mason and quarrier, to win 400 pavement stones from the 'quarrell' of Kyndrimmy, and to pave the hall of Muchalls therewith.[14] In 1631 he obtained permission to export 10 chalders of meal to Norway on the plea that he could not otherwise obtain from thence the timber which he required for the roof of his house at Muchalls.[15] Between 1616 and 1624 he purchased from Alexander Fraser of Durris the lands of Cairnbulg and Invernorth, with the piece of land whereon stands the old 'Manor Place of Philorth' (now called from the adjoining estate Cairnbulg Castle).[16] Before his death

[1] *Sasine*, 24 June 1545, in Reg. Ho. [2] *Aberdeen Sasines, Secretary's Reg.*, i. 193. [3] *P. C. Reg.*, 2nd ser., ii. 232. [4] *Acts and Decreets*, clvii. 300, *Sasine* thereon 18 February 1579-80, in Reg. Ho. [5] *Aberdeen Sasines*, xi. 409. [6] *Aberdeen Hornings*, v. 23; Aberdeen Burial Register. [7] *Reg. Mag. Sig.*, 15 July 1587. [8] *Ibid.*, 4 July 1614. [9] Charter to her as his future wife, 29 January 1606, *Aberdeen Sasines, Secretary's Reg.*, iv. 396. [10] Spalding Club *Misc.*, v. 329. [11] *Aberdeen Sas., Secretary's Reg.*, iv. 200. [12] *Reg. of Deeds*, xxx. 176. [13] *Castellated and Domestic Architecture of Scotland*, ii. 228. [14] *Aberdeen Hornings*, 5 May 1623. [15] *P. C. Reg.*, 2nd ser., iv. 185. [16] *Frasers of Philorth*, i. 162.

in 1636, he also acquired from the above-mentioned Alexander Fraser his patrimonial estate of Durris, which, however, was transferred a few years later to Sir Alexander Fraser, physician to Charles II.[1] On 29 June 1633[2] he was created LORD FRASER, with remainder to his heirs-male bearing the name and arms. He died 10 December 1636.[3] He married, first, contract 1592, Elizabeth Douglas, youngest daughter of Robert, Earl of Buchan;[4] secondly, Anne, daughter of Patrick, third Lord Drummond, relict of Patrick Barclay, fiar of Towie.[5] She survived him, and was alive in 1640.[6] He had issue by his first wife only:—

1. ANDREW, second Lord Fraser.
2. *Francis*, of Kinmundie, who married Marjory Elphinstone, youngest daughter of James, first Lord Balmerino.[7] They had a charter of Mains of Kinmundie and other lands 31 January 1630.[8] He died before 1676,[9] leaving an only daughter,

   Elizabeth, who had a Great Seal charter of the lands of Cowburtie 5 March 1680,[10] and is usually styled Lady Cowburtie. In 1696 she was not residing on her Aberdeenshire estate.[11] She died, apparently unmarried, in 1705, and was buried at Longside 16 November 1705, aged sixty-nine.[12]

3. *William*, of Faichfield. He and his two elder brothers were all admitted burgesses of Aberdeen 21 April 1627.[13] He had a charter of Faichfield and other lands 15 September 1629.[14] He married Jean Barclay, second daughter of Patrick Barclay, fiar of Towie, who, as his future wife, grants him a charter of Drumquhendill 30 September 1630.[15] He left a son *William*, who had a precept of clare constat as his father's heir 11 October 1667,[16] and who, in the same year, disponed Faichfield to Mr. William Thomson, 'Preacher of the Word of God.'[17] He married Christian Garioch. William Fraser, sometime of Faichfield, and Christian Garioch his wife, had a charter of

[1] *Frasers of Philorth*, ii. 144. [2] *Reg. Mag. Sig.* [3] *Retours, Aberdeen*, No. 236. [4] Ms. Harl. 6441, f. 7. [5] Charter to her as his future wife 20 May 1624; *Aberdeen Sas.*, iv. 402. [6] *Aberdeen Sas.*, xi. 409. [7] *Reg. Mag. Sig., Paper Reg.*, x. 10. [8] *Aberdeen Sas.*, vii. 34. [9] *Reg. Mag. Sig., Paper Reg.*, x. 10. [10] *Reg. Mag. Sig.* [11] *List of Pollable Persons*, i. 584. [12] Longside Register. [13] New Spalding Club *Misc.*, i. 144. [14] *Aberdeen Sas.*, iii. 36. [15] *Ibid.*, vii. 217. [16] *Ibid.*, 3rd ser., v. 206. [17] *Ibid.*, v. 210.

Invernorth 10 January 1668.[1] He (the younger William) had a son *William*, baptized 29 March 1665, and a daughter *Elizabeth*, baptized 20 September 1666.[2] This branch seems to have died out, or left Aberdeenshire before 1696, as they are not found in the *List of Pollable Persons* of that year.

4. *Thomas*, 'son to Laird of Muchall,' died November 1617.[3]
5. *James*, 'son to Laird of Muchall,' died November 1621.[4]

II. ANDREW, second Lord Fraser. Before his father's death there was commenced a protracted feud with Sir William Keith of Ludquharn (an estate adjoining that of Kinmundy, and within two miles of the house of Faichfield) about seats in the newly built parish church of Peterugie, now called Longside.[5] This led to the sacking by Ludquharn's followers on the night of Christmas Day 1621 of the house of Faichfield, at that time the residence of Andrew Fraser, the younger, and his family, followed by the death, soon afterwards, of his infant son Andrew. The termination of this bitter feud is indicated at a meeting of the Privy Council on 12 November 1622, when a submission and decreet-arbitral dated 9 November 1622, between the two Frasers, father and son, on the one side, and Sir William Keith on the other, was ordered to be registered in their books. It is evident the feud had been brought under the notice of King James VI. The warrant for the submission and decreet-arbitral is a missive by the King, dated at Royston 21 October 1622, in the course of which the arbiters are authorised in the event of 'Muchall' being found obstinate and unwilling to agree to the conditions to be imposed 'to compell him in respect of his promises made to us to doe in that mater as we sould be pleasit to command him.[6] He was retoured heir to his father in the estates 21 April 1637.[7] He, or rather, in the first instance, his father, gave offence to Sir Alexander Fraser of Philorth (afterwards Lord Saltoun), patron of Rathen church, by setting up his name and arms on the kirkstyle, and by

[1] *Aberdeen Sas.*, v. 382. [2] Longside Register. [3] Aberdeen Burial Register. [4] *Ibid.* [5] Narrated at length in vols. xii. and xiii. *P. C. Reg.*, and briefly in Pitcairn's *Criminal Trials*, iii. 539. [6] *P. C. Reg.*, xiii. 86. [7] *Retours, Aberdeen*, 236.

encroaching upon the lands of Philorth in the rebuilding of the kirk dyke. The matter came before the Privy Council in 1637,[1] and both points were eventually decided in favour of the Laird of Philorth, not, however, until 1667, some years after Andrew's son, the third Lord Fraser, had succeeded to the title and estates.[2] In the Civil Wars Lord Fraser took the side of the Covenanters, and is often mentioned in Spalding's *Memorials of the Troubles* and in the Acts of Parliament. He was one of the Parliamentary Commissioners appointed for suppressing the Royalist insurrection in the north, and for proceeding against rebels and malignants 19 July 1644.[3] In the same year he was associated with the Laird of Philorth and the Forbes family in support of the Marquess of Argyll against the Royalists under the Earl of Huntly and the Marquess of Montrose,[4] and on 14 October the castle of Muchalls suffered spoliation at the hands of Montrose, 'who at the time was visiting with fire and sword the estates of those proprietors friendly to the Covenant.'[5] He was appointed a member of the Committee of Estates in 1645, and for putting the kingdom in a posture of defence 15 February 1649, on which committee the names of the Master of Fraser and Francis Fraser of Kinmundie are also included. He was one of the Committee of Estates appointed on 14 March in the same year for carrying on the government of the country and providing for its defence until the meeting of Parliament.[6] On 5 June 1651 he settled his estates upon Andrew, his son by Anna Haldane, his wife, whom failing, upon Thomas Fraser his son by Elizabeth Crichton his then wife,[7] and he died between July 1656 and July 1658.[8] He married, first, in 1618, Margaret Elphinston, eldest daughter of James, first Lord Balmerino,[9] by his second wife. By this marriage, says Spalding, 'he had gryt moyan in all his adois aganes Haddoch Gordoune'; secondly (contract July 1634[10]), Anne, daughter of James Haldane of Gleneagles, who died about June 1640;[11]

[1] *Antiq. of Aberd. and Banff*, iv. 126. [2] *Frasers of Philorth*, i. 182. [3] Rescinded Acts. [4] *History of the Troubles*, ii. 338, 429; *Frasers of Philorth*, i. 173. [5] Sir A. Leith-Hay's *Castellated Architect. of Aberdeenshire*, 96. [6] Rescinded Acts. [7] *Aberdeen Sas.*, xv. 117. [8] *Ibid.*, xx. 154. [9] *Gen. Reg. Sas.*, ii. 45 and xxxvii. 34; Spalding states (ii. 44) that the second Lord Balmerino and the second Lord Fraser were brothers-in-law; see vol. i. 562 *n*. [10] *Reg. Mag. Sig.* [11] Spalding, i. 294.

thirdly (contract 21 August 1644[1]), Elizabeth, eldest daughter of James Crichton of Frendraught, and sister of the first Viscount Frendraught. She is there called eldest daughter of the Viscount, which is impossible, he having married his first wife in 1639. Spalding, who *sub anno* 1645 calls Lord Fraser 'goodson to the old Laird of Frenddraught'[2] is more correct. She survived him for many years. In 1685, as 'Dame Elizabeth Chrighton, Lady Dowadger of Frazer,' she petitions the Privy Council to be released from payment of a sum of £1833, 13s. 4d. Scots, the amount of a fine specified in a decreet obtained against her for alleged contravention of the laws and Acts of Parliament against withdrawers from the public ordinances. She was then residing in 'her joynture house at Cairnbulg.' In 1696 she was living with her son Thomas at Torhendry, in Longside parish.[3]

By his first wife Lord Fraser had:—

1. *Andrew*, who was a 'young bairn' in the house of Faichfield when it was sacked by Ludquharn's followers on Christmas Day 1621, as narrated above, and died within five weeks thereafter 'of the extraordinary fear and fray given to him.'[4]
2. *William*, Master of Fraser, who, with his father and stepmother, had a charter of the barony of Durris 31 July 1637. He was alive in 1646, but must have died *v.p.* before 5 June 1651.[5]
3. *Elizabeth*, who married Walter Barclay of Towie.[6] She and her cousin Elizabeth Fraser, Lady Cowburtie, are called as heirs of line of James, Lord Coupar, her mother's brother, 12 March 1676.[7]

By his second wife Lord Fraser had:—

4. Andrew, third Lord Fraser.

By his third wife he had:[8]—

5. *Thomas*, of Cairnbulg, probably born in 1649. He was under age 13 June 1670, but was apparently of full age on 29 July 1670, when he was served to his father as

[1] *Aberdeen Sas.*, xiii. 145. [2] Spalding, ii. 453. [3] *List of Pollable Persons*, i. 593. [4] *Aberdeen Hornings*, 30 July 1623; Pitcairn's *Criminal Trials*, iii. 539. [5] *Vide supra.* [6] Charter to her as his future wife 19 July 1652, *Aberdeen Sas.*, viii. 25. [7] *Reg. Mag. Sig., Paper Reg.*, x. 10. [8] Issue all named, *Reg. of Deeds*, Durie, 3 February 1671, and *Aberdeen Inhibitions*, 12 October 1675.

heir of provision general.[1] He was living with his mother, wife, and children at Torhendry, in Longside parish, in 1696.[2] Thomas must have died before his nephew, the fourth Lord, or he would have succeeded to the title on the latter's decease. He married, first (contract 23 June 1680), Margaret, elder daughter of Robert Forbes of Ludquhairn, tutor of Craigievar.[3] By her he had three daughters, *Margaret*, *Jean*, and *Sophia*,[4] the eldest of whom was married (contract 2 December 1699) to Sir James Innes of Orton, Baronet.[5] He married, secondly, Margaret Seton, who survived him, and on 30 November 1717 was appointed executor-dative to James Seton of Meanie, her brother-german.[6]

6. *James*, matriculated at King's College, Aberdeen, 1670.[7] He died young, probably before 26 June 1676, when he is omitted in a list of the family.[8]
7. *Margaret*, married (contract 5 June 1679) to Thomas Gordon of Newark, M.D.[9]
8. *Elizabeth*.

III. ANDREW, the eldest surviving son, succeeded as third Lord Fraser. On 5 June 1651 his father disponed the estates in his favour, with remainder to Thomas, his half-brother. He had a grant of his own ward and marriage 21 August 1661.[10] He was appointed Commissioner for visiting the Universities of Aberdeen in 1661. Whether Riddell's surmise,[11] that the creation of the title 'Lord Fraser' gave umbrage to the families of Lovat and Philorth be correct or not, it is the fact, as stated by him, that the only time that any cavil was raised against the King's prerogative as the Fountain of Honour was subsequent to the bestowal of this dignity, some having presumed to give *other names and designations* than what were contained in the patent. This called forth an Act of Parliament, 24 June 1662, which declares that 'the Lord Fraser is, according to his patent, to have and enjoye the tytle of *Lord Fraser*, and discharges

[1] *Retours, Gen.*, 5341. [2] *List of Pollable Persons*, i. 592, 593. [3] Contract among Camphill titles, noted by Riddell. [4] *List of Pollable Persons*, as above. [5] *Banff Sas.*, v. 33; Douglas's *Baronage*, 79. [6] Edin. Tests. [7] *Fasti Aberdonensis*, 489. [8] *Reg. of Adjudications*, xxv. 71. [9] *Aberdeen Sas.*, x. 274. [10] *Privy Seal, English Reg.*, i. 75. [11] Riddell's *Remarks*, 78, note 3.

all His Majesty's subjects that none of them presume in discourses, writings, or otherways to give him any other title or designation, as they will be answerable at their heist perrell.'[1]

He was served his father's heir-in-general 24 December 1664.[2] In 1665 he also, like his father and grandfather, manifested interest in the kirkstyle of Rathen, which the minister and kirk-session were proposing to 'cast doune.'[3] He died 22 May (according to his son's retour, 24 May) 1674, 'the handsomest person of all the nobility, as I judg,' says his contemporary James Skene.[4] 'One of the prettiest noblemen in the Kingdom,' and 'one of the finest noblemen in the Kingdom for a statesman and orator,' is the description of him given by Wardlaw.[5] He married, first, 17 October 1658,[6] Katherine Fraser, daughter of Hugh, eighth Lord Lovat, relict of Sir John Sinclair of Dunbeath, and of Robert, first Viscount of Arbuthnott.[7] She died 18 October 1663.[8] He married, secondly, Jean Mackenzie, daughter of George, second Earl of Seaforth, relict of John, Earl of Mar,[9] who died September 1668.[10] She was served to her terce 15 September 1674.[11] He had issue by his first wife:—

CHARLES, fourth Lord Fraser.

IV. CHARLES, the only son, succeeded as fourth Lord Fraser. He was born before September 1662, as he contracted marriage in September 1683,[12] without curators. He was served heir-male to his father 2 March 1683,[13] and on 2 December 1685 he revoked deeds done during his minority.[14] After the Revolution he adhered to the Stuart cause, and excused himself from attending Parliament in July 1689,[15] but subsequent to the collapse of the Jacobite resistance he surrendered to Major-General Mackay at Ayr, in the beginning of October 1690. On 30 December 1690 he was allowed to go home, 'being certainly informed that his only child was a-dying.'[16] In June or July 1692 he took

[1] Riddell, 1833 ed., 78, 79. [2] *Retours, Gen.*, 4858. [3] *Extract from Ecclesiastical Records of Aberdeen*, Spalding Club, 279. [4] *Fourth Rep. Hist. MSS. Com.*, 516. [5] *Wardlaw MS.*, Scot. Hist. Soc., 424, 500. [6] Montrose Reg. [7] Vol. i. 305; *Decreets (Dal.)*, 12 July 1664. [8] Row's Diary, *Scottish Notes and Queries*, vii. 71. [9] Macfarlane's *Gen. Coll.*, i. 68. [10] *Lamont's Diary*, 208. [11] *Gen. Reg. Sas.*, xxxiv. 144. [12] *Vide infra.* [13] *Retours, Aberdeen*, 456. [14] *Reg. of Deeds*, Durie, 8 December 1685. [15] *Acta Parl. Scot.*, ix. 102. [16] *P. C. Acta*, at date.

prominent part in a demonstration in favour of King James and his son at Fraserburgh, for which he was tried at the Justiciary Court the following year.[1] The charge against him was that he went with his accomplices to the market cross of Fraserburgh, stepped upon the cross, and three several times proclaimed 'the late King James and the pretended Prince of Wales to be righteous and lawful King of this Kingdom,' also, that 'for the greater solemnity, they fired guns and pistols from the Cross on the occasion, and forced some of his Majesty's subjects to drink treasonable healths.' On 16 May 1693 the Court pronounced sentence upon Lord Fraser, finding him guilty of one of the charges, viz. that of drinking treasonable healths, and fined him in £200 sterling. He took the oaths 2 July 1695,[2] and his name frequently appears in the Acts subsequent to that date. In 1697 Lord Fraser associated himself with Captain Simon Fraser (the notorious Simon, Lord Lovat) in a forcible, and in the result successful, attempt to prevent the marriage of the daughter and heir of line of Hugh, tenth Lord Lovat, with the Master of Saltoun.[3] The facts are narrated at some length by Lord Saltoun and described in greater detail in the Justiciary Records. On 13 December 1697 a warrant was issued to examine and imprison Lord Fraser for the part taken by him in the earlier stages of this strange affair, and on 10 February there followed a warrant for his release. Captain Fraser's conduct was marked by acts of violence and outrage, for which he and nineteen of his associates were eventually tried in the High Court of Justiciary and sentenced to death in absence on 5 September 1698.

He voted for the Union,[4] but took part in the rebellion of 1715, though by remaining in hiding he succeeded in escaping attainder.[5] He died of a fall from a precipice at Pennan, on the coast of Aberdeenshire, near Banff,[6] on 12 October 1716.[7]

He married, in September 1683,[8] Margaret (called Marjory in the sasine on the contract) Erskine, daughter of James, seventh Earl of Buchan, relict of Simon Fraser of Inver-

[1] Arnot's *Criminal Trials*, 85; *Records of Justiciary*, March 29, 1693. [2] *Acta Parl. Scot.*, ix. 407. [3] *The Frasers of Philorth*, i. 195-197. [4] *Acta Parl. Scot.*, xi. 404. [5] Marquis of Ruvigny's *Jacobite Peerage*. [6] *Francis Douglas's Letters*, No. 33. [7] *Historical Register*, 1716, 545. [8] Vol. ii. 273.

lochy, son of Sir Simon above mentioned.[1] There was no surviving issue of the marriage, the only child having died in infancy.[2] It is evident that before his death Andrew, third Lord Fraser, had become involved in serious monetary difficulties, and it seems probable that it was in order to meet pressing claims of this nature, as well as other subsequent liabilities incurred by himself, that his son, after his succession to the title and estates, found himself compelled to part with the whole of the lands of which his father died nominally possessed in 1674. It is stated that the barony of Stonywood was sold to James Moir 'about the end of the seventeenth century.'[3] Moir is designated as owner of the estate on 5 July 1689.[4] From a minute of agreement, dated 1682, between Charles, Lord Fraser, and the Earl of Mar, it appears that the former bound himself to dispone to the latter the lands and barony of Muchall in consideration of the fact that the Earl of Mar had satisfied the creditors of the deceased Andrew, Lord Fraser, to the full value of the Muchall estate, and the Earl, on the other hand, bound himself to discharge Lord Fraser of the whole debts due by his father. It also appears that in 1683 the Earl of Mar in turn disponed to John Keirie of Gogar his whole right and interest in the lands of Muchall in trust for behoof of his creditors. In 1693 Lord Fraser, as heir to his father and superior of the lands, completes this disposition to Keirie by giving him an absolute title to the estate. In 1703, Keirie being dead, and John, Earl of Mar, having succeeded him as trustee for his father's creditors, Lord Fraser entered into negotiations for the repurchase of Muchall, and as a preliminary a lease, dated 19 July 1703, was entered into between the Earl and Lord Fraser of the whole lands, the effect of which was to put the latter in immediate possession, and to give him right to retain the rents as interest of the purchase-money to be advanced by him. The lease was renounced by Lord Fraser in 1712, the purchase price having apparently not been paid, and by 12 October 1713 the Earl of Mar had disponed the lands and barony of Muchall to William Fraser of Inverallochy, son of Simon

[1] *Aberdeen Sasines*, xii. 533. [2] *P. C. Acta, ut supra.* [3] Spalding Club *Misc.*, i., Pref., 79, where the word 'sixteenth' must be a mistake for seventeenth. [4] *Acta Parl. Scot.*, ix. 102.

Fraser and grandson of Simon, Lady Fraser's first husband.[1] On 12 July 1695 Lord Fraser presented a petition to the Estates of Parliament, narrating that part of the barony of Cairnbulg, which his father had disponed to his uncle Thomas Fraser, having been sold to Mr. (afterwards Colonel) Patrick Ogilvie, who had adopted the designation of the undivided barony, it had become necessary to alter the name of the House and remainder of the barony still in his possession, and craving Parliamentary sanction to change their designation to that of the Castle and Barony of Fraser. The petition was granted;[2] but there appears no evidence that either house or lands were at any time generally known by the name which for many years has been identified with the castle and estate of Muchall. In January 1703 Lord Fraser disponed the lands of Invernorth, adjoining Cairnbulg, to Colonel Patrick Ogilvie, and later in the same year he sold his portion of the lands and barony of Cairnbulg to Colonel John Buchan of Auchmacoy. The estate of Muchall, or Castle Fraser, was settled upon Charles Fraser of Inverallochy, who succeeded his elder brother William in 1749,[3] and on 6 August 1757 Charles had a great seal charter on Keirie's resignation.[4] On 20 July 1723 he was created by James III. and VIII. a Lord and Peer of Parliament as 'Lord Fraser of Mushall,' with remainder to his heirs-male. The preamble sets out that the title is conferred in recognition of his services, and particularly of those of 'his father, who died bravely asserting our cause, and in consideration of the earnest desire of the late Lord Fraser when we were last in Scotland [1715], to resign his titles of honour in favour of the said Charles's father.' The patent is endorsed 'taken by Glenderule.'[5]

The original Peerage is believed to have become extinct on the death of Charles, fourth Lord Fraser, in 1716.

CREATION.—29 June 1633, Lord Fraser.

ARMS, recorded in Lyon Register.—Azure, three fraises argent.

[1] Ms. Documents *penes* Sir W. Fraser's Trustees. [2] *Acta Parl. Scot.*, ix. 436. [3] Marquis of Ruvigny's *Jacobite Peerage*. [4] *Reg. Mag. Sig.*, *Paper Reg.*, civ. 55. [5] Marquis of Ruvigny's *Jacobite Peerage*, 53.

CREST.—On a mount a flourish of strawberries leaved and fructed proper.

SUPPORTERS.—Dexter a falcon, sinister a heron, all proper.

MOTTO.—*All my hope is in God.*

[C. T. G.]

CRICHTON, LORD FRENDRAUGHT

IR JAMES CRICHTON, only son of William, third Lord Crichton, and his wife Marion Livingstone (*see* vol. iii. p. 66) had a Crown charter on 22 November 1493 of the lands and barony of Frendraught in the county of Aberdeen, on the resignation of Jonet Dunbar his grandmother.[1] He had charters of the lands of Kirkpatrick-Irongray, which belonged to his grandmother, on 4 November 1501 and 19 January 1505-6,[2] and excambed these lands with Robert, Lord Crichton of Sanquhar, for the lands of Hilltown-Malar, Kirktown-Malar, and Wester Forgandenny in Perthshire on 11, and on 13 December 1511 he had a charter of confirmation of the same.[3] From James Dunbar he acquired the lands of Conzie in Aberdeenshire, had a charter of same on 16 October 1530,[4] and granted them to his cousin George Crichton on 10 May 1535.[5] By charter dated 19 November 1535, following on his own resignation, he made a settlement of his estates comprising the barony of Frendraught in Aberdeenshire, the barony of Inverkeithny in Banffshire, and the lands of Malar and Forgandenny in Perthshire, in favour of himself and the heirs-male of his body, whom failing, to George Crichton,

[1] *Antiq. of Aberdeen*, iii. 589. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] *Ibid.* [5] *Ibid.*

grandson of Gavin Crichton, brother of the late William, Lord Crichton, whom failing, to James Crichton, second son of Sir John Crichton of Strathurd, Knight, to Robert Crichton his brother, to Martin Crichton, brother-german of James Crichton of Cranston Riddell, Captain of the Castle of Edinburgh, to James Crichton, son of John Crichton of Invernyte and the heirs-male of their bodies respectively. He died about 1536, having married Catherine, eldest daughter of William, fifth Lord Borthwick, and had issue:—

1. WILLIAM.

WILLIAM CRICHTON of Frendraught had sasines of the lands of Frendraught, Inverkeithny, Hillton and Kirkton Malar on 27 May 1536, probably as heir of his father.[1] He had a charter to himself and Agnes Abernethy his wife of the lands of Inverkeithny or Conveth on 15 August 1539,[2] and on 5 September 1539 he sold the lands of Hillton-Malar to John Ross of Craigie. He appears to have been for a time of unsound mind, as on 12 July 1536 George Crichton of Conzie was appointed curator to William Crichton of Frendraught, a 'daft and natural idiot.'[3] He was still alive in 1546, but the date of his death is uncertain. He married Agnes Abernethy, probably a daughter of that William, Lord Abernethy of Saltoun, who was with forty-five others tried on 15 March 1543-44 for the slaughter of George Crichton of Conzie and others,[4] and had issue:—

1. JAMES.
2. *Margaret*.[5]

SIR JAMES CRICHTON of Frendraught was born apparently in 1541, as Meldrum of Fyvie was sued for abducting him when eight years old from the school at Cullen.[6] He chose curators on 2 March 1555-56, his nearest of kin being on the father's side Alexander Leslie of Warderis, James Irving of Tulloch, and George Crichton in Little Forg; on the mother's side, Alexander, Lord Saltoun.[7] He came of age before 17 August 1562, on which day he executed a revocation of deeds done in his minority.[8] As son and

[1] *Exch. Rolls*, xvi. 607. [2] *Reg. Mag. Sig.* [3] *Reg. Sec. Sig.*, x. 130; Riddell's Notes on Douglas's *Peerage*. [4] Pitcairn, i. *329. [5] *Reg. of Deeds*, lxix., 5 July 1599. [6] *Acts and Decreets*, iv. 415, anno 1551. [7] *Ibid.*, xiii. 22. [8] Extracts from Council Books of Aberdeen, i. 459.

apparent heir of his father he had in his father's lifetime a charter of the baronies and lands of Frendraught, Inverkeithny or Conveth, Forgandenny, and Malar, under reservation of his father's liferent and his mother's terce, on 11 August 1546.[1] He had charters to himself and Johanna Keith, his spouse, of the lands of Bognie in Aberdeenshire on 14 April 1557 and 9 July 1569.[2] To George Crichton of Little Forg and Katherine Leslie his wife he sold the lands of Comisties in Aberdeenshire on 6 June 1571. He had charters of parts of the lands of Logyaldtoun in Aberdeen 31 March 1592, and of the lands of Darlay in said county from Andrew Meldrum of Fyvie 4 January 1594-95.[3] He died within the Place of Tulloch in 1612 or 1613.[4] He married Johanna Keith, sixth daughter of William, fourth Earl Marischal, and had issue :—

1. James.
2. *George* of Beildistoun or Bailliestoun (now Bedlieston[5]) afterwards of Crichie, of which lands he had a charter 4 January 1620,[6] had charters of the baronies and lands of Frendraught, Conveth, Newton of Forgound, Kirkton and Hillton Malar on 28 April 1599, and of the lands of Darley, all incorporated into the barony of Frendraught and burgh of Forgue, on 29 April 1599, on disposition by his father,[7] which lands he resigned in favour of his nephew James on 10 August 1599.[8]
3. *Agnes*, married (contract dated 24 August 1572) to John Leslie, son of William Leslie of Tulliefurie. They had a charter of the lands of Weittis, Crukitstak, and others on 8 September 1572.[9]
4. *Elizabeth*, married, first (contract dated 7 November 1587), to Alexander Abernethy of Lessindrum, second son of Alexander, sixth Lord Saltoun,[10] who was afterwards styled of Wester Saltoun, and died 10 April 1603;[11] and secondly, before March 1612, Alexander Cranstoun in Leith.[12]
5. *Anna*, married to Robert Spens of Tulloch, and had issue a son and daughter, *George* and *Elspet*.[13]

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] *Acts and Decreets*, ccccxl. 297. [5] *Reg. Mag. Sig.*; *Aberdeen Sasines, Secretary's Register*, iv. 304. [6] *Aberdeen Sasines*, iii. 214. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] *Ibid.*, 10 December 1596. [10] *Aberdeen Hornings*, v. 9; ix. 14. [11] Edin. Tests. [12] *Acts and Decreets*, cclxviii. 376. [13] *Ibid.*, ccccxl. 298; *Reg. of Deeds*, cccci. 7 December 1627.

He had two natural children :—

James, whom the Captain of the Guard was ordered to apprehend for nonpayment of a debt to John Carmichael, tailor burgess of Edinburgh 27 June 1605.[1] He had a legitimation 7 March 1643.[2]

Jean, mentioned 1609.[3]

JAMES CRICHTON of Frendraught, also designed of Auchingoul,[4] had a charter of the lands of Conzie and Pitquhensie in Aberdeenshire on disposition by Alexander Dunbar of Kilboyack 27 June 1611.[5] He died between 15 December 1618 and 19 February 1620.[6] He married Janet, daughter of Alexander Gordon of Lesmoir.[7] She survived him, and married, secondly, Thomas Gordon of Grandoun.[8] James Crichton had issue :—

1. JAMES.
2. *Anne*, married, first (contract dated 19 February 1620), to William Seton of Meldrum, but by him had no issue.[9] She survived him and married, secondly, Gilbert Ogilvy of Craig.[10]

JAMES CRICHTON of Frendraught, after his son's elevation to the Peerage designed of Kinnairdie, only son, had the baronies of Frendraught, Conveth, Auchingoul, Bognie, and others made over to him by his uncle George Crichton, during the lifetime of his father, with destination to him and his heirs-male and assignees whatsoever by charter dated 10 August 1599.[11] He had a further charter of the said lands on 18 June 1612.[12] He was served heir-general to his father 22 March 1620,[13] had charters of the barony of Kinnairdie in Banffshire 18 July 1627, and of Monkshill in Aberdeenshire 23 December 1633.[14] He was appointed a Justice of the Peace for Aberdeenshire in 1610, and was commissioner to Parliament for that county in 1625, and for Banffshire 1639-41. On 1 January 1630, at a meeting at which he and William Gordon of Rothiemay were present, a dispute occurred between them concerning the right to certain

[1] *P. C. Reg.*, vii. 67. [2] *Reg. Mag. Sig.* [3] *Gen. Reg. of Inhib.*, xxxii. 331. [4] *Reg. of Deeds*, lxix., 11 September 1579. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] *Aberdeen Inhibitions*, 30 April 1627. [8] *Reg. Sec. Sig.*, xcix. 320. [9] *Reg. Mag. Sig.*, 18 July 1627. [10] *Aberdeen Inhibitions*, 19 August 1661. [11] *Reg. Mag. Sig.* [12] *Ibid.* [13] *Retours.* [14] *Reg. Mag. Sig.*

salmon-fishings in the river Deveron, which unfortunately ended in an encounter between the parties, in which Rothiemay and George Gordon, brother to Lesmoir, were killed. The Marquess of Huntly endeavoured to make up the feud, and called upon Frendraught to pay 50,000 merks to Rothiemay's widow as compensation for her husband's slaughter. A certain John Meldrum, who had taken part in this affray, considering he had not been sufficiently rewarded, stole two of Frendraught's horses, and on taking refuge with his brother-in-law, John Leslie of Pitcaple, was pursued there by Frendraught on 27 September 1630, and in the course of the altercation which ensued James Leslie, son to Pitcaple, was shot through the arm by Robert Crichton of Condland, and was carried into his father's house. Frendraught at once repaired to the Castle of Bog to procure the intervention of Lord Huntly, whither he was followed by Pitcaple with thirty horsemen fully armed, with the intention of waylaying him and revenging the wound his son had received. The Marquess endeavoured to pacify Pitcaple, but to no purpose; he therefore, on 8 October, ordered his son John, Viscount Melgum, and John Gordon of Rothiemay, son of him who was killed, to assemble a party and escort Frendraught home, which they accordingly did. Lord Melgum desired to return immediately, but was persuaded by Frendraught to remain with his party overnight, and they were placed in a tower in rooms one above another. About midnight the tower burst forth in flames with such violence that Lord Melgum, Rothiemay, and six of their attendants were burnt to death, one alone escaping. Considering that the fire could only have been designedly raised, Lord Huntly instituted proceedings before the Privy Council against Frendraught, who accused John Meldrum of the crime, and carried him prisoner to Edinburgh. The Council upon 4 April 1631 appointed William, Earl Marischal, Patrick, Bishop of Aberdeen, John, Bishop of Moray, David, Lord Carnegie, and Colonel Harry Bruce, a commission to proceed to Frendraught, examine the house, and report by what means the fire was raised.[1] They accordingly met there on 13 April, and reported that the fire was first raised in a vault, but whether it was

[1] *P. C. Reg.*, new ser., iv. 207.

accidental or of set purpose by the hand of man they could not say, only no hand could have raised the fire without aid from within.[1] Meldrum was tried on 10 August 1633, and executed at the Market Cross of Edinburgh, protesting his innocence to the last. The Gordons, who were fully persuaded in their own minds as to the guilt of Frendraught, in conjunction with the Gordons of Rothiemay and other Highland clans carried on for a number of years a campaign of plunder upon his estates, which compelled him for his personal safety to reside in Edinburgh and seek the protection of the law. On 21 September 1639 he petitioned Parliament for the restitution of certain goods taken from him and his tenants by Lord Huntly,[2] and in 1641 he had a parliamentary ratification of his charters of the baronies of Frendraught and Kinnairdie, which had been burnt along with his whole charter-chest in the burning of the tower in 1630.[3] He was alive in 1667.[4] He married, 25 February 1619[5] (postnuptial contract dated at Frendraught 21 November 1620[6]), Elizabeth Gordon, eldest daughter of John, twelfth Earl of Sutherland, and had issue:—

1. James.
2. *William*, who was killed by James Urquhart and others on 23 August 1642.[7]
2. George, of Auchingoul, after mentioned.
4. *Francis*, who, with his brothers William and George, is mentioned in the charter of Frendraught in 1641 after mentioned. He entered the College of Douay 31 August 1657, but left it and became a soldier.[8] He was accused along with his brother James, who was acquitted, of the murder of Alexander, son of the Rev. John Gregory, minister of Drumoak, on 7 March 1663.[9] He escaped from prison before trial. There were further proceedings against him for the crime in 1667, but he obtained a remission in 1682.[10]
5. *Elizabeth*, married to Andrew, second Lord Fraser[11]

[1] *P. C. Reg.*, new ser., iv. 214. [2] *Acta Parl. Scot.*, v. 600, 601. [3] *Ibid.*, 465. [4] *Gen. Reg. of Hornings*, 30 October 1667. [5] *Hist. of Earldom of Sutherland*, 360. [6] *Reg. Mag. Sig.*, 31 July 1629. [7] *Spalding's Hist.*, ii. 42; Remission to James Urquhart of Old Craig as being concerned therein, *Reg. Mag. Sig.*, 23 January 1647. [8] *Fifth Rep. Hist. MSS. Com.*, 654. [9] *Justiciary Records*, i., Scot. Hist. Soc., 94, 100; *Book of Adjournal*, 1 July 1664; *Privy Council Acta*, 14 July 1664. [10] *Privy Seal, Latin Reg.*, xiii. 194. [11] *Aberdeen Sasines*, xiii. 145.

(contract dated 21 August 1644, where she is called eldest daughter of first Viscount by mistake for sister [1]). She was his third wife, and had issue. She was alive in 1696.[2]

6. *Isabel*, married to Robert Dunbar of Burgie.[3] She had a charter as his future spouse dated 23 and 24 May 1642.[4]
7. *Mary*, married to Patrick, Lord Oliphant.[5] 'My Lord Oliphant was gone to marie Frendraught's daughter' 26 December 1643.[6] She was his third wife, and had issue.
8. *Helen*, married to William Hay of Muldavit. She had a charter as his future spouse 30 May 1663.[7]
9. *Margaret*.

I. James Crichton of Frendraught, born about 1620, matriculated at King's College, Aberdeen, in 1635,[8] had a charter of the barony of Frendraught to himself and the heirs-male of his body, whom failing to William, George, and Francis, his brothers, 21 September 1641.[9] He was in the lifetime of his father, in consideration of his father being the heir-male of Lord Chancellor Crichton, created VISCOUNT FRENDRAUGHT AND LORD CRICHTON, with destination to him and his heirs-male and successors by patent dated at Nottingham 29 August 1642.[10] He was on the committee appointed by Parliament to put down rebellion in the north 16 April 1644, 16 January 1645, and 1 December 1645,[11] a commander of forces in Aberdeenshire in 1645,[12] and in 1646 his losses were directed to be repaired from the estates of malignants.[13] He joined the Marquess of Montrose in his last expedition, and was with him at Invercarron in Ross-shire when he was defeated by Strachan on 27 April 1650. Montrose's horse was shot under him, but he was remounted by the Viscount on his own and escaped. The Viscount, severely wounded, was taken prisoner and carried to Dunrobin Castle. On 16 December

[1] See Spalding's *Memorials*, ii. 453. [2] *List of Pollable Persons in the Shire of Aberdeen*, i. 593. [3] *Reg. Mag. Sig.*, 7 April 1643. [4] *Gen. Reg. Sas.*, li. 32. [5] *Reg. Mag. Sig.*, 2 November 1646. [6] Kirk Session Record of Montrose. [7] *Banff Sasines*, i. 166. [8] *Fasti Aberdonensis*, 463. [9] *Reg. Mag. Sig.* [10] *Ibid.* [11] *Acta Parl. Scot.*, vi. 90, 290, 477. [12] *Ibid.*, i. 371. [13] *Ibid.*, 463, 434, 597.

1650 he appeared before the Presbytery at Turriff on a reference by the General Assembly dated at Stirling, who remitted to the Presbytery of Sutherland, within whose jurisdiction he was then residing, to deal with him and try his repentance for his manifold defections from the Covenant,[1] and having submitted, he was on 3 October 1651 admitted an elder of the kirk session of Forgue. By him the lands of Frendraught were gradually wadset to the Rev. John Gregory, minister of Drumoak to the extent of 59,560 merks, and for this sum the lands were apprised 20 July 1647,[2] and thus passed from the family. He took his seat in Parliament 25 January 1661, having on 11 January received a parliamentary protection from personal diligence,[3] and the magistrates of Aberdeen on 19 April 1661 were declared free from debts for which he had been incarcerated in the Tolbooth, but had made his escape, on the ground that he was only a rebel to the late usurpers. In 1663 he went to London to get some aid from the King, but without success. He was alive on 14 July 1664, and died before 17 August 1665.[4] He married, first, Janet Leslie, third daughter of Alexander, first Earl of Leven. She is mentioned as future wife 1 October 1639,[5] died 24 November 1640, and had issue a daughter. He married, secondly, at the church of Drumoak 8 November 1642, Marion, daughter of Sir Alexander Irving of Drum,[6] and had issue. He had perhaps as third wife the lady who signs herself J. Crichton in 1716.[7] Issue by first marriage:—

1. *Janet*, baptized at Markinch 20 November 1640, had a charter of the lands of Cowmisties and others 16 August 1647,[8] and was married at Wemyss 24 August 1665 to Sir James Macgill of Rankeillour.[9] Her descendant David Maitland Makgill of Rankeillour claimed the Peerage in 1827.

Issue by second marriage:—

2. James, second Viscount.
3. Lewis, fourth Viscount.
4. *Magdalen*, married Laurence, second son of Patrick,

[1] *Thanage of Fermartyn*, 149. [2] *Reg. Mag. Sig.* [3] *Acta Parl. Scot.*, vii. 11. [4] Frendraught Service, 1827. [5] *Gen. Reg. of Sas.*, xlix. 84. [6] Spalding, ii. 55. [7] *Jacobite Lairds of Gask*, 57. [8] *Reg. Mag. Sig.* [9] Lamont's *Diary*.

sixth Lord Oliphant.[1] He died without issue in December 1688.[2] She died 1 April 1738.[3]

5. *Jean*, married to Walter Stewart of Outlaw, who granted a charter to her in liferent and her eldest son in fee with remainder to their second and third sons 1 May 1695.[4] She and her sister Magdalen were both alive 18 August 1728.[5]

II. James Crichton, second Viscount Frendraught, died between 16 September 1674 and 22 January 1675.[6] He married, after April 1668 and before 8 July 1669,[7] Christian, daughter of Sir Alexander Urquhart of Cromarty, and relict of Thomas, Lord Rutherford. She married, after his death, George Morrison, to whom, after the death of her son William, third Viscount, she conveyed what remained of the estate of Frendraught, and by whom she had, though advanced in years, a son Theodore, who was served heir to his father on 1 August 1699 in the lands of Bognie, the dominical lands of Frendraught, the lands of Auchingoul, and others.

III. William Crichton, third Viscount Frendraught, being under age at the death of his father, his uncle Lewis was served tutor to him on 4 December 1678.[8] On 4 March 1680, his mother being anxious to secure that he should be bred a Protestant, all the rest of the family being Romanists, obtained a decreet of the Privy Council to appoint certain persons to take care of his education, superseding his uncle Lewis, 'a declared bigot Papist.'[9] He died in minority previous to 17 August 1686.[10]

IV. Lewis Crichton, fourth Viscount Frendraught, matriculated at King's College, Aberdeen, in 1668, was served heir to his nephew, the third Viscount, 9 December 1686, and on 16 December 1686 obtained a decreet ordering Christian, Viscountess Frendraught, and her husband to yield him possession of the house and yard of Frendraught and 600

[1] Assignation in 1687 of a bond by James Sinclair of Roslin, dated 1680, with consent of her husband. [2] Edin. Tests. [3] Moray Tests. [4] *Banff Sasines*, iv. 311. [5] Letter at Gask. [6] *Acts and Decreets*, Dalrymple, 7 November 1678. [7] *Gen. Reg. of Inhibitions*, 14 August 1669. [8] *Inq. Tut.*, 1030. [9] *Privy Council Decreets.* [10] *Privy Council Warrants.*

merks aliment furth of the mails thereof.[1] On 4 May 1688 he was appointed Commissioner of Exchequer; on 19 June lieutenant-colonel of Lieutenant-General James Douglas's Regiment of Guards, and on 10 August a member of Privy Council.[2] He joined the forces raised by Lord Dundee on behalf of King James VII., and took part in the Killiecrankie campaign,[3] and on 15 January 1690 he subscribed the bond of Tomintoul.[4] In September 1690 he was one of the commanders of a Jacobite force which made a raid from Aberdeenshire to within a few miles of Stirling, and thereafter made good its retreat to Aberdeenshire again.[5] On 28 September he, with a small garrison, seized the castle of Federate in Buchan, which they held till forced to capitulate in the following month, being the last place on the mainland of Scotland held for King James.[6] On 25 February 1692 he petitioned to be liberated, all the others included in the capitulation of Federate having been set free already, but the Privy Council refused till the King's pleasure should be known. On 15 June thereafter the Council allowed his wife to remain with him in Stirling Castle; his 600 merks out of Frendraught not being enough to maintain them separately.[7] By Act of Parliament dated 14 July 1690 he was attainted,[8] whereby his Peerage became forfeited, and on 27 April 1693 he was fined £1200 for non-attendance in Parliament.[9] After his final release by warrant of the Privy Council, dated 21 June 1694,[10] he retired to France, and died at St. Germains 26 February 1698. He married Marjory, daughter of Thomas Seaton, Cornet of Horse, and sister of James Seaton of Menie,[11] but had no issue. She survived him, and died in the Canongate 4 February 1724,[12] and her cousin Mary, daughter of Lachlan Seaton, sergeant in the 3rd Scots Guards, was served heir to her in 1742.

V. GEORGE CRICHTON of Auchingoul, third son of James

[1] *Privy Council Warrants.* [2] Abstract of Secretary's Office Register, MS. Reg. Ho. [3] *Acta Parl. Scot.*, App. 55. [4] *Ibid.*, 60. [5] *Fifteenth Rep. Hist. MSS. Com.*, pt. ix. 94; *London Gazette*, 11 and 15 September 1690. [6] *Continuation of the Proceedings of the Parliament in Scotland*, 146, 147; *London Gazette* 27 and 30 October and 3 November 1690; *Cal. State Papers, Domestic*, 1690-91, 152; *Collections Hist. Aberdeen and Banff*, 405. [7] *Privy Council Acta.* [8] *Acta Parl. Scot.*, ix. App. 61-65. [9] *Ibid.*, ix. 251. [10] *Privy Council Acta.* [11] *Banff Sasines*, iii. 401. [12] Edin. Tests.

Crichton of Frendraught and Elizabeth Gordon, had a charter of the lands of Auchingoul 11 July 1679,[1] was served heir-general to his brother's son James, second Viscount, on 19 May 1698,[2] and on the death of Lewis, fourth Viscount, assumed the title.[3] He died before 30 July 1702.[4] He married Jean, daughter of Sir Alexander Irving of Drum,[5] and had issue :—

1. James.
2. *Francis.*[6]
3. *Magdalen*, married (contract dated 1 October 1690) to Alexander Stewart of Lesmurdie.[7]
4. *Elizabeth*, married (contract dated 2 April 1696) to Robert Irving of Corniehaugh.[8]

VI. James Crichton of Auchingoul succeeded his father before 30 July 1702, and had a charter to himself in liferent and to James his second son in fee, with remainder to Charles his third son, and George his fourth son, successively, on 13 February 1737.[9] He died before 16 November 1744.[10] He married Margaret Gordon,[11] said to be a daughter of Alexander Gordon of Auchentoul, one of the Senators of the College of Justice. He had issue :—

1. A son, who appears to have been disinherited.
2. *James*, was a colonel in the army of Prince Charles Edward.[12] He resigned the lands of Auchingoul, with consent of his mother Margaret Gordon, in favour of William Leslie of Melrose, who had a charter thereon 26 July 1750.[13] He died in poverty in Paris in the end of 1769, and was buried in the parish church of Else near Montreuil-sur-Mer.
3. *Charles.*
4. *George.*

[1] *Banff Sasines*, iv. 224. [2] *Inq. Gen.*, 7978. [3] *Jacobite Lairds of Gask*, 56. [4] *Privy Council Decreta.* [5] Discharge by them dated 15 February 1665 to Alexander Irving of Drum, her brother, of all sums due to her by bonds of provision or otherwise; *Drum Papers*, *Aberdeen Hornings*, 21 September 1666. He is also said to have married in 1699 Marjory Seaton, widow of his nephew Lewis, fourth Viscount; *Thanage of Fermartyn*, 154. [6] *Banff Sasines*, iv. 224. [7] *Ibid.*, iv. 237. [8] *Aberdeen Sasines*, xv. 325. [9] *Reg. Mag. Sig.*, *lib.* xcvi. 35. [10] *Reg. of Deeds* (Mack.), 7 July 1746. [11] *Reg. Mag. Sig.*, *lib.* c. 101. [12] Spalding *Misc.*, i. 380; *List of Rebels*, Scot. Hist. Soc. It is said that he was created Viscount Frendraught by the Prince in 1745, but this is doubtful. [13] *Reg. Mag. Sig.*, *lib.* c. 101.

5. *Daughter*, unmarried in 1769.[1]
6. *Daughter*, unmarried in 1769.[1]

CREATION.—29 August 1642, Viscount Frendraught and Lord Crichton.

ARMS, not recorded, but given by Nisbet, and in Peers' Arms MS., Lyon Office.—Quarterly: 1st and 4th, argent, a lion rampant azure, for *Crichton*; 2nd and 3rd, argent, a saltire and chief azure, for *Boyes*; over all on an escutcheon, azure, three stars argent within a double tressure flory counterflory or, for *Murray*.

CREST.—A dragon spouting fire proper.

SUPPORTERS.—Two lions azure armed and crowned or.

[F. J. G.]

[1] Riddell Papers, Adv. Lib.

ANCIENT LORDS OF GALLOWAY

GALLOWAY, though the name is now chiefly applied to the two counties of Kirkcudbright and Wigtown, comprehended also, at the earliest period of recorded history in Scotland, the district of Carrick, or the southern portion of Ayrshire. The chiefs of this large tract of country, although they acknowledged the King of Scots as their overlord, and followed him to battle, still maintained a separate jurisdiction, and the district then recognised as Galloway was governed by its own laws. The Galloway men were present in large force under King David I. at the Battle of the Standard, fought on Cutton or Cowton Moor 22 August 1138, and two of their leaders, Ulgric and Dovenald, were killed. But the first Lord or Prince[1] of Galloway on record is

FERGUS, usually styled 'de Galweia,' or 'of Galloway,' who appears as a witness to a charter by King David I. granting land in Perdeyc or Partick to the Church of Glasgow on 7 July 1136, when that church was dedicated.[2] He also appears as a witness in other writs, probably of a later date, but not beyond 1147.[3] Little is known of his

[1] Hoveden, who knew the chiefs of Galloway personally, always uses the word 'Princeps' in describing them. [2] *Reg. Epis. Glasguensis*, 9. [3] *Ibid.*, 12.

personal history, but like King David I. with whom he was contemporary, he gave liberally to the church, and was the founder or part founder of several abbeys in his own district, a fact which showed his desire to civilise his somewhat unruly vassals. He is also credited with aiding in the establishment or the revival of a bishopric in Galloway before 1154, when the first bishop, Christian, was consecrated at Bermondsey by the Archbishop of Rouen.[1]

The abbeys founded by Fergus alone or jointly with King David were Dundrennan and Tongland in co. Kirkcudbright, and Soulseat, co. Wigtown. The Priories were St. Mary's Isle in the first shire, and Whithorn in the other.[2] Towards the close of his life, and after the death of King David I., Fergus appears to have been drawn by the claims of relationship to take part in the insurrection of Donald MacHeth, or at least to afford him shelter in his territories. There Donald was pursued by King Malcolm IV., who succeeded in 1160 in reducing the rebellious district to submission, and Fergus, perhaps because of advancing age, took the cowl, and became a monk in the then new Abbey of Holyrood, where he died in 1161.[3] He is said to have married Elizabeth, the youngest natural daughter of King Henry I. of England, but the authorities quoted by Chalmers, who makes the statement, do not bear out his assertion. On the other hand, Hoveden and Benedict Abbas, both refer to Uchtred, eldest son of Fergus, as a cousin or relative of King Henry II.[4] This epithet is not applied to Gilbert, and he may have been a son by a second wife.

Fergus had issue as recorded:—

1. UCHTRED, ancestor of the later Lords of Galloway.
2. *Gilbert*, ancestor of the Earls of Carrick. (See vol. ii.)
3. *Affrica*, married to Olave, King of Man and the Isles, and had issue.

UCHTRED, usually described as 'Uchtred, son of Fergus,' as he was not lord of the whole of Galloway, but shared the rule of that province with his brother Gilbert, was the elder son of Fergus, though various writers refer to him as

[1] *Scotland Under Her Early Scottish Kings*, i. [2] *Caledonia*, iii. 301-304, 411, 420. [3] *Ibid.*, 251; *Reg. Sancte Crucis*. [4] *Caledonia*, i. 366; *Scotland Under Her Early Kings*, i. 357; Hoveden (Rolls series), ii. 105; Benedict Abbas, i. 80, 126.

second son,[1] and appears first on record in 1136, with his father in the charter of Perdeyc already cited. He also appears in later writs as a witness to royal charters both before and after the death of his father,[2] who was obliged to send him to the Scottish court as a hostage after the insurrection was suppressed. He was a benefactor of the Church, was the founder of a nunnery at Lincluden, and gifted various churches to Holyrood and Holmcultram abbeys.[3] He also granted some land in Troqueer to the hospital of St. Peter of York, by a writ dated between 1158 and 1164.[4] Uchtred remained a peaceful subject until 1174, and he and his followers accompanied their monarch on his march into England, when the capture of King William tempted him and his brother Gilbert to make an effort for independence. They returned home and immediately expelled the King's officers from their bounds, and all foreigners they slew without mercy; they seized the royal castles, and then petitioned the King of England that he would 'take them from the authority of the King of Scots, and govern them himself.' But the brothers quarrelled, and Gilbert procured the death of Uchtred, who was attacked on 22 September 1174, in his house in Loch Fergus, by a party under Malcolm, a son of Gilbert, and put to death with great atrocity.[5] He married Gunnild, daughter of Waldeve, Lord of Allerdale, brother of Gospatric, second Earl of Dunbar. They had issue:—

1. *Lochlan*, who is described as their heir in a charter by them to the Abbey of Holyrood, dated probably about 1160.[6] He is also named a witness to the charter cited above by his father to the hospital of St. Peter of York. He apparently died between 1164 and 1166, when his brother Roland is first named.

[1] *Caledonia*, i. 366, Robertson in *Early Kings*, and Wood, but this is inconsistent with the fact that when Uchtred and Gilbert are named together in charters Uchtred is named first, and Hoveden, who had personal knowledge of both parties, always names Uchtred first. [2] Nat. Mss. of Scotland, Part i. No. xxxii.; *Reg. Epis. Glasguensis*, 15; *Reg. Prior S. Andree*, 198; *Reg. de Calchou.* [3] *Caledonia*, v. 307, 311, 314, 325. [4] *Cal. Doc. Scot.*, ii. No. 1606(6); *Reg. de Wetherall*, No. 94, *note.* [5] *Chron. de Hoveden*, ii. 63; Chalmers, *Caledonia*, v. 255, says he was residing at Loch Fergus, but Hoveden does not say where the tragedy took place, and Benedictus Abbas only says the murderers beset the isle of —— where Uchtred dwelt. It may have been at Loch Fergus. [6] *Reg. Sancte Crucis*, 19, 20.

2. ROLAND, who became Lord of Galloway.
3. ——, a son, who was killed on 30 September 1185 in a conflict with Gillecolm (by some identified with Gillecolm Mareschal), a prominent marauder, whom he defeated and slew.[1]
4. *Fergus*, who is named as Fergus, brother of Roland, in a charter to the monks of Melrose between 1203 and 1214.[2] It was probably he who, in 1213, was sent by his nephew Alan to Ireland to receive his lands there, and he seems to have held the rank of Knight.[3]

ROLAND, Lord of Galloway, and latterly Constable of Scotland, was apparently not the eldest son, but appears as Roland, son of Uchtred (his most common designation), in the charter of Annandale granted by King William the Lion, which may be dated about 1166,[4] along with his father and uncle. He was also at the Scottish Court in 1180, when he was one of those judges who decided a dispute between the monks of Melrose and Richard Morville the Constable,[5] then or later his father-in-law. He greatly resented his father's death, but appears to have bided his time until the death of his uncle Gilbert, when he rapidly collected a large force, and swept over Galloway, devastating the territory, slaying the richer and more powerful inhabitants, and seizing their lands, where he planted forts to secure his authority. He also did good service to King William by attacking and cutting short the career of more than one public marauder. But King Henry II. of England, who had aspired to be Protector of Galloway, resented this, and was so much in earnest that he marched a large force to Carlisle, while Roland prepared for invasion by fortifying the natural approaches to his territory. War was averted, and Roland was persuaded to meet the two Kings at Carlisle. Peace was arranged, and Roland gave his three sons as hostages for his good faith, while King William assigned that part of ancient Galloway called Carrick to Roland's cousin Duncan, son of Gilbert, which he accepted, renouncing all claims to any rights his father had in Galloway proper.[6]

[1] Fordun *à* Goodall, i. 491. [2] *Liber de Melros*, i. 115. [3] *Cal. Doc. Scot.*, i. No. 573. [4] *Ibid.*, i. No. 105. [5] *Acta Parl. Scot.*, i. 387, 388. [6] Benedictus Abbas, i. 339, 347, 349; Fordun *à* Goodall, i. 491.

In 1187 Roland showed his fidelity and generalship by leading a force against and capturing the northern freebooter Donald MacWilliam, called also Donald Bane. He also presided in a court at Lanark, where the judges of Galloway decided in favour of the King's right to enforce payment of his 'can' in that territory.[1] He is named as Justiciar, and also as Constable between 1189 and 1198,[2] and he did not neglect the Church, as he founded the Abbey of Glenluce in 1190, besides granting other privileges.[3] The last public act of Roland was to accompany his master to Lincoln, where, on 22 November 1200, King William swore fealty to King John for his English fiefs. After the ceremony Roland proceeded further south to Northampton, where he was then interested in a question as to part of his wife's property, and there died on 19 December, and was buried in the Abbey of St. Andrew there.[4] He married Elena (called also Eva and Hellaria), daughter of Richard and sister of William de Morville, and heiress of both, and through her acquired, at William's death in 1196, the extensive estates of the Morvilles, and the office of Constable of Scotland, for all which he paid to the exchequer the large relief duty of 700 marks of silver.[5] Elena survived her husband, and appears in various transactions concerning her property up to 11 June 1217, when she died.[6] Roland and Elena had issue:—

1. Alan, Lord of Galloway.
2. *Thomas*, who married Isabella, Countess of Atholl, and became Earl of Atholl in her right. (*See that title*, vol. i. 419-422.)
3. ——, a son, referred to with his brothers in 1186, when the three were given as hostages to King Henry II., but not otherwise noticed.[7]
4. *Ada*, married in 1233 to Walter Bisset of Aboyne.[8]

Alan, son of Roland, as he is constantly styled, succeeded his father as Constable, and also in the lordship of Galloway, with his other large domains in Scotland and

[1] *Acta Parl. Scot.*, i. 378. [2] *Ibid.*, i. 95; *Liber de Melros*, i. 18; *Reg. de Soltre*, 7; Diplomata, No. 28. [3] *Caledonia*, v. 257. [4] *Cal. Doc. Scot.*, i. No. 294; Hoveden, iv. 145. [5] Fordun *à* Goodall, i. 509. [6] *Cal. Doc. Scot.*, i. Nos. 318, 511, 513, 576, 594, 596; *Chron. de Mailros*, 130. [7] Benedictus Abbas, i. 347-349. [8] *Chron. de Mailros*, 143.

England. He is first named in 1196 in connection with lands at Teinford, co. Northampton,[1] which apparently he held apart from his father. After his father's death in 1200, he constantly appears as a witness in royal charters, and apparently took his share in public affairs. He and his mother had, in 1212, an action relating to Whissendine and Bosegate, lands in Northamptonshire, as to which it was disputed whether Richard de Morville was seised in 1174, and whether he was dispossessed in consequence of the war in that year. The latest act of Alan's father was to offer 500 merks to obtain an assize to settle the question, but it was only determined on 29 April 1212, or a little later, when a jury found that Richard was so seised and was disseised as stated; later Alan and his mother were called to pay so much into the treasury.[2]

In July of the same year, partly, no doubt, as a kinsman, and also as a Scottish baron holding large fiefs in England, he was asked by King John for assistance in the latter's invasion of Ireland. The King begged Alan to send as soon as possible to Chester a thousand of his best and most active Galwegians before Sunday 19 August.[3] For this, and no doubt other services, King John granted him, in 1213, a large number of fiefs in Ireland, which were assigned to him or his agents by John, Bishop of Norwich, in a formal assembly at Carrickfergus. To these were added rights of forest and privileges of fairs and markets.[4] The grants were repeated and confirmed two years later, on 27 June 1215.[5] This was a few days after the granting, at Runnymede, of the Great Charter, Alan of Galloway being named among those present as one of the great barons of England. It is not certain what part Alan played in the war which followed later in the year 1215, whether he sided with the English barons who opposed King John or with the King of Scots, but the destruction of the monastery of Holmcoltram is usually assigned to the ravages of the Galwegians who followed Alexander II. in his invasion of England.[6]

It was certainly in 1215 that, according to Fordun, Alan was secured in his Constableship by the new King of Scots.[7]

[1] *Cal. Doc. Scot.*, i. Nos. 236, 243. [2] *Ibid.*, Nos. 294, 513, 560. [3] *Ibid.*, i. Nos. 529, 533. [4] *Ibid.*, i. Nos. 573, 583. [5] *Ibid.*, No. 625. [6] *Chron. de Mailros*, 123. [7] Fordun *à* Goodall, ii. 34.

Soon after the accession of King Henry III. to the English throne he summoned King Alexander and also Alan of Galloway to deliver up the Castle of Carlisle, and in the beginning of 1219 Alan had a safe-conduct to do homage for his lands in England, which meanwhile were taken in King Henry's hands. Alan was present at York on 15 June 1220, and swore to observe King Alexander's oath that he would marry Joanna, the eldest sister of King Henry, and in obedience to a letter from King Henry he made his own personal homage at the same time.[1] The following day his lands were ordered to be restored to him, including his Irish estates.[2] Later he was in active service with his galleys cruising off the coast of Ireland in opposition to Hugh de Lacy, then in rebellion. Lacy submitted to King Henry in 1224, and in the following year Alan was permitted to lease his lands in Ireland and place tenants on them.[3] In October 1229 he was summoned to go abroad with King Henry. One of the latest references to him in English records is a permit to him to send a ship to Ireland to buy victuals, between Candlemas and Michaelmas 1232.[4]

His appearances in Scottish record are not so numerous, being chiefly confined to grants or other benefactions to religious houses. He died in 1234, and was buried in the Abbey of Dundrennan.[5]

He married, first, a lady name unknown,[6] said to be a daughter of Reginald, Lord of the Isles, by whom he had two daughters; secondly, in 1209, Margaret, eldest daughter of David, Earl of Huntingdon,[7] by whom he had a son and two daughters; thirdly, in 1228, a daughter of Hugh de Lacy, of Ireland,[8] by whom he had no issue. His issue were:—

1. *Thomas*, mentioned as son and heir of Alan in a plea in 1279 by Devorgilla of Baliol and others, but it is said that he died without issue, probably in his father's lifetime, and his sisters were his heirs.[9]
2. ——, a daughter, by first marriage, who was a hostage to the King of England, and who died a hostage in

[1] *Cal. Doc. Scot.*, i. Nos. 673, 718, 762. [2] *Ibid.*, i. Nos. 763, 764. [3] *Cal. Doc. Scot.*, i. Nos. 890, 905. [4] *Ibid.*, Nos. 1050, 1148. [5] *Chron. de Mailros*, 144. [6] *Caledonia*, v. 258; see Lord of the Isles, *infra*. [7] *Chron. de Mailros*, 108. [8] Fordun *à* Goodall, ii. 58. [9] *Cal. Doc. Scot.*, ii. No. 169.

charge of Robert Fitz-Roger, shortly before 13 June 1213.[1]

3. *Elena*, by first marriage, married to Roger de Quincy, who in her right became Constable of Scotland, and was made Earl of Winchester in England in 1235. He ruled Galloway, or his wife's share of the territory, so severely that the Galwegians, in 1247, rose in insurrection against him, and forced him to seek refuge with the King of Scots. He died 25 April 1264,[2] leaving issue :—

   (1) *Margaret*, called also *Agnes*, married to William, Earl of Ferrars, also Earl of Derby, and had issue. She was living in 1280, when she granted Groby to her son William.[3]

   (2) *Elizabeth*, styled also *Isabella* and *Marjory*, married to Alexander Comyn, Earl of Buchan (*see that title*). She was alive in 1279.[4]

   (3) *Elena*, married to Alan de la Zouch. She died not long before 20 August 1296, possessed of estates (in Scotland) in the counties of Wigtown, Berwick, Haddington, Kirkcudbright, Fife, and Ayr. She was succeeded by Alan de la Zouch, aged twenty-four, her grandson.[5]

4. *Christina*, by second marriage, married in 1236 to William de Forz or Fortibus, afterwards Earl of Albemarle. She died in 1245, or 1246, without issue, her sister Devorgilla being her heir.[6]

5. *Devorgilla*, married in 1233 to John de Baliol of Barnard Castle.[7] She is famed for her munificence in endowing Balliol College, Oxford, and building a bridge over the Nith at Dumfries. She founded, on 10 April 1273, the Abbey called Sweetheart or New Abbey in Galloway,[8] and established other religious institutions. She died 28 January 1289-90,[9] and was buried in her New Abbey with the heart of her husband, who had deceased in 1269. They had issue :—

   (1) *Sir Hugh*, who was heir of his father. He died shortly before 10 April 1271, having married Agnes de Valencia, a niece of King Henry III., without issue. He is named in his mother's charter, above cited, to Sweetheart Abbey.[10]

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[1] *Cal. Doc. Scot.*, i. No. 574. [2] *Caledonia*, v. 260. [3] *Cal. Doc. Scot.*, i. Nos. 1520, 2412, 2565; ii. No. 175. [4] *Ibid.*, ii. No. 169, where she is named last of the three sisters. [5] *Cal. Doc. Scot.*, ii. No. 824. [6] *Ibid.*, Nos. 1686, 1697; ii. No. 169. [7] *Chron. de Mailros*, 143. [8] *Laing Charters*, No. 46. [9] Stevenson's *Hist. Doc.*, i. [10] *Cal. Doc. Scot.*, i. Nos. 2600, 2607; *Laing Charters*.

(2) *Alan*, who is named only in the claim made by John Baliol as competitor for the Crown of Scotland, and no other reference to him has been found. He is said to have succeeded Hugh, and to have died without issue.[1]

(3) *Sir Alexander*, who succeeded to his brother Alan, and is styled Lord of Baliol.[2] He died shortly before 13 November 1278, having married Alianora de Geneva, a kinswoman of King Henry III.,[3] who survived him, without issue.

(4) JOHN of whom hereafter.

(5) *Cecilia*, a daughter named by her mother Devorgilla in the foundation charter (1273) of Sweetheart Abbey, and was then deceased.[4]

(6) *Ada*, married, at Whitsunday 1266, to William Lindsay, son of Walter Lindsay of Lamberton.[5] (*See under title* Crawford.)

(7) *Alianora*, married, between 1279 and 1283, to John Comyn of Badenoch. (*See that article*, vol. i. p. 508.)

6. *Thomas*, a natural son of Alan, became famous as the cause, if not the instigator, of a rebellion in Galloway in 1235. The Galwegians objected to the partition of Alan's dominions among his three daughters, and petitioned the King of Scots to make Thomas, though illegitimate, their overlord, as more in accordance with their laws. King Alexander II. refused this, and an insurrection took place, but was soon suppressed. Thomas fled to Ireland, and returned with a force recruited there, to renew the contest, but was persuaded to submit to the King of Scots. He was imprisoned for a time, and afterwards released. He is said to have married a daughter of the King of Man.[6] Later he was kept in retirement or captivity, perhaps by the Balliols, and survived to a great age, playing also a somewhat curious part in history. He was in 1296 removed from one custody to another by order of King Edward I., who in his name issued a declaration that he had granted to the Galwegians all their liberties and customs as these were held in the time of King David I. and of the late Alan of Galloway. There is no evidence of his being released from custody, and he apparently died not long afterwards.[7]

JOHN BALIOL, the youngest son of Devorgilla of Gallo-

[1] Rymer's *Fœdera*, ii. 579. [2] *Cal. Doc. Scot.*, ii. No. 117, 118. [3] *Ibid.*, No. 2584; ii., No. 136. [4] *Laing Charters*, No. 46. [5] *Cal. Doc. Scot.*, i. No. 2626. [6] Fordun *à* Goodall, ii. 61. [7] *Cal. Doc. Scot.*, ii. Nos. 728, 729; cf. No. 1541.

way, by her husband John Baliol, born, it would appear in 1249, succeeded not only to the estates of his father and brothers, but in 1289-90, at the age of forty, to his mother's possessions in Scotland.[1] He was looked upon by King Edward I. as Lord of Galloway, and when Baliol resigned the Crown of Scotland that district was taken under the English king's administration. His marriage, children, and death have already been noted under the Kings of Scotland.[2]

Edward Bruce, brother of King Robert, was the next Lord of Galloway, receiving a grant of the territory some time between 1306 and the 16 March 1308-9, when he is styled Lord of Galloway in a letter from the Scots Parliament to the King of France.[3] Further particulars regarding him will be found under the title Earl of Carrick (vol. ii. pp. 435, 436).

Sir Archibald Douglas was the next who bore the style of Lord of Galloway, that province having been conferred upon him by King David II. on 18 September 1369[4] for his labours and service in expelling the English from the territory. After he succeeded to the earldom of Douglas, he and his descendants continued to use the style of Lord of Galloway, but it was then merged among the other Douglas titles. (*See* vol. iii. p. 159.)

Arms.—The seal of Alan, Lord of Galloway, bears a lion rampant crowned. Sir David Lindsay blazons the coat as azure, a lion rampant argent crowned or.

[J. A.]

[1] *Cal. Doc. Scot.*, Nos. 406, 410. [2] Vol. i. of this work, p. 7. [3] *Acta Parl. Scot.*, i. 459. [4] *Reg. Mag. Sig.*, folio ed. 69.

Galloway

STEWART, EARL OF GALLOWAY

THE Stewarts of Garlies, Earls of Galloway, descend from Sir John Stewart, commonly called 'of Bonkyl,'[1] through his second son Sir Alan (in the male line) and his fourth son Sir Walter (in a female line), but the earlier generations of the family will be given under the article Stewart, Duke of Lennox.

SIR ALEXANDER STEWART of Darnley, grandson of the above Sir Alan, married, first, —— Turnbull, sister of Sir John Turnbull of Minto 'out wyth swerd'; and secondly, after 1381, Janet Keith, daughter of Sir William Keith of Galston, and widow of Sir David Hamilton of Cadzow.[2] By his first marriage he had:—

1. *Sir John* (afterwards of Darnley), Constable of the Scots Army in France 1420-29.[3]
2. SIR WILLIAM, ancestor of the Earls of Galloway.
3. *Alexander.* 4. *Robert.* 5. *James.* 6. *Janet.*[4]
7. *William*, probably the issue of the second marriage, as he was apparently a very young man who had only reached the rank of 'escuyer,' or esquire, when he was killed at Orleans in 1429.[5]

[1] See *Peerage*, i. 13. [2] See title *Hamilton.* [3] Andrew Stuart's *History of the Stewarts*, 83, and Riddell's Reply to Anderson's *Memoirs of the Hamiltons*, 45. [4] Andrew Stuart, 96. [5] *Ibid.*, 146 *et seq.*, and Riddell's *Peerage Law*, ii. 810 *note.*

Sir William Stewart. The affiliation of Sir William, the second son of Sir Alexander, has been disputed by some genealogists, and the question is more than usually important, as on it depends the title of heir-male of the house of Stewart. On this account Andrew Stuart of Torrance (one of the historians of the Stewarts), a rival candidate for the honour, sought to impose on the Stewarts of Garlies an entirely different origin, ascribing their male ancestry to a John le Seneschal of Jedworth, whose name occurs among the signatories to the *Ragman Roll* in 1296,[1] and who, from inability to identify him otherwise, has been assumed by most genealogists to be identical with Sir John Stewart of Bonkyl already named. But 'John le Seneschal of Jedworth' was not a knight, which Sir John Stewart of Bonkyl unquestionably was, being so designated in the *Roll*, while the Seneschal of Jedworth is not. John le Seneschal of Jedworth signs the *Roll* amidst a mixed multitude from the county of Roxburgh, while Sir John Stewart's name occupies the second place, immediately after that of his brother the High Stewart himself. In the *Roll* John le Seneschal shares the designation 'of Jedworth' with Guy le Clerk of Jedworth, Richard Fossart of Jedworth, and Henry Braceor of Jedworth, while Sir John Stewart's only title is 'brother of Sir James the Stewart.' In fact, the whole designation points to an office (of which there are numerous instances in the *Roll*), not to a surname, since the patronymic Stewart is always latinised in the *Roll* as Senescal or Senescalli — never Seneschal—and the substitution of 'of' for the territorial 'de' in this case still further emphasises the point.

Further, the arms of Sir John Stewart, the eldest son of Sir Alexander Stewart of Darnley (as proved by his seal in the French Record Office, and reproduced by Andrew Stuart in his *Genealogy of the Stewarts*), were a fesse chequy, surmounted of a bend dexter, while the arms of Sir William Stewart were a fesse chequy surmounted of a bend dexter, engrailed, to mark the younger son. The crest of Sir *John* Stewart was a 'bull's head erased,' marking his descent maternally from the ancient Border family of Turnbull, who bore that cognizance. The actual

[1] *Cal. Doc. Scot.*, ii. 199.

crest of Sir William Stewart is not known, but he is called 'nephew' by Sir John Turnbull of Minto in a deed afterwards referred to. Sir John Stewart who bore the Turnbull cognizance, and Sir William Stewart who was the Turnbull's nephew, must therefore have been related maternally as well as paternally, and as Sir John was certainly Sir Alexander's eldest son, Sir William must also have been a son. Further, Matthew Stuart, Earl of Lennox (the descendant of Sir John), in a letter to the Earl of Shrewsbury,[1] terms Sir Alexander Stewart of Garlies (the descendant of Sir William) his 'near kinsman,' while Henry Stuart, Lord Darnley, and his son, King James VI. also acknowledged the Stewarts of Garlies as cadets of their own house of Lennox. These facts will be cited in dealing with the individual descendants.

Sir William Stewart, the first offshoot from the house of Darnley, was one of the most prominent Scotsmen of his own or any other day. He figures in the national records as soldier, statesman, administrator, and a loyal and faithful servant to King and country, from 1385 to 1402. He aided James, Earl of Douglas, to expel the English finally from Teviotdale and the Borders, was one of the Scottish leaders subsidised from France in 1385,[2] and is named by Froissart, the French historian,[3] as one of Douglas's captains at the Battle of Otterburn in 1388. He bore the coveted distinction of Knight Banneret, a dignity then only conferred for signal bravery under the Royal Standard displayed in battle.[4] Among the civil offices and appointments held by this famous knight were—Clerk of the Audit for the King from 1390 to 1402, Sheriff of Teviotdale (and probably also of 'Foresta' or Tweeddale),[5] Ambassador to England, Scots Commissioner for a truce, and Conservator of the Peace on the Borders.[6] He was also a member of both the General and Special Councils of the kingdom, and one of the 'wyse men and leal' appointed to act as the executive, or cabinet, during the Regency of David, Duke of Rothesay.[7] For his

[1] Published in Lodge's *Illustrations of British History*, i. 134. [2] Rymer's *Fœdera*, vii. 485. [3] *Chron.*, iii. 730. [4] He is so designated in letters of safe-conduct dated 30 October 1394 to David, Duke of Rothesay, the Earl of Douglas himself, and others, Ambassadors to England (Rymer's *Fœdera*). [5] *Exch. Rolls*, iii. *passim*. [6] Rymer's *Fœdera*. [7] *Acta Parl. Scot.*

great services he was rewarded by the King, who styles him 'dilectus et fidelis,' with a grant of the lands of Synlaws and Merbottil (Roxburghshire) on 2 July 1385, and part of the lands of Minto 8 November 1392.[1] He also received various hereditary pensions between 1390 and 1398, one, on 27 March 1392, bearing to be to 'our dear and faithful Sir William Stewart of Jedworth, Knight, for special service and retinue to us and to David Stewart our heir.'[2] From Archibald, Earl of Douglas, he got the lands and Castle of Abercorn in Linlithgowshire on 28 October 1398,[3] while on 4 January 1390-91 he had confirmation of a charter in which his uncle, Sir John Turnbull of Minto 'out wyth swerd,' made him a grant of his lands of Minto. In that charter he is styled Sir William Stewart of Jedworth, Knight, and 'nepos' (or nephew) of the granter.[4] He appears on record usually under the simple designation of 'Sir William Stewart,' being then apparently too well known to require any more definite description, and is the first of the race to figure in the national records under the now familiar name of Stewart, instead of the old Latin Senescalli or Senescal. At other times the titles 'de Jedworth,' 'de Tevidale,' and 'de Foresta' are given him. The first was no doubt derived from the lands of Jedworth, part of the Douglas patrimony, on which Sir William Stewart seems to have been stationed by his friend the Earl of Douglas as an outpost to guard against the raids of the Percies who pretended a right to these and other Douglas lands on the Borders, in virtue of grants from the English sovereigns. The title 'de Tevidale' evidently originated in his office of Sheriff, but that of 'Foresta' is more obscure. It has been supposed to be the Forest of Jedworth, but is undoubtedly identical with Selkirkshire, which even to the present day is known as Foresta or 'the Forest.' He was one of the Scottish notables captured at Homildon Hill in 1402, and, though thus a prisoner of war, was barbarously put to death by Hotspur Percy to gratify a private grudge, and his mangled limbs were thereafter exposed on the gates of York and other English towns. His virtues are summed up by the writer

[1] *Reg. Mag. Sig.*, fol. vol. 173, 22; 207, 33. [2] *Exch. Rolls*, iii. *passim*.
[3] Robertson's *Index*. [4] *Reg. Mag. Sig.*, 189, 23.

of the *Scotichronicon* in the noble epitaph, 'Valens miles et inter sapientes primus.'[1]

The name of Sir William Stewart's wife has not been preserved, but after his death she married Sir Walter de Bickerton, and survived till 1420 at least, in which year she drew her 'terce' of Sir William's hereditary pensions.[2]

Sir William Stewart had at least two sons:—

1. JOHN, his successor.
2. ——, name unknown. He figures in his brother's marriage-contract[3] as Sir William's 'other son,' to whom lands of the annual value of £20 were reserved out of their father's estate.

SIR JOHN STEWART, the elder son, first appears in a marriage-contract entered into between his father and Sir Walter Stewart of Dalswinton[4] on 17 October 1396, for the marriage of the said John to Marion Stewart, daughter and sole heir of Sir Walter. They were then both plainly minors, as they were not parties to the contract.[5] He appears to have attained majority by 1402, in which year he accompanied his father to Homildon Hill, and was made prisoner with him there. In a list of the Scots prisoners among the Luttrell MS.[6] he is styled 'Messire Johan Steward le filz de Messire William Steward de Foresta.'[7]

Little more is known of Sir John Stewart, first of Garlies and Dalswinton (in this line), to which he succeeded through his wife, the heiress of these lands. His paternal lands were overrun by the English after Homildon Hill, and as his father-in-law survived for some time thereafter, some genealogists identify him in the interval with the John Stewart of Castlemilk who figures in the Chamberlain Rolls from 1406 to 1412. He was one of the pioneers from Scotland who, denied an outlet of the kind at home, carried their arms into France to assist the old ally of Scotland against the mutual 'auld enemye of Englande.' He must have

[1] Fordun *à* Goodall, ii. 434. [2] *Exch. Rolls*, iv. 319. [3] Macfarlane's Collection of Charters, 116, in Advocates' Library, authenticated copy in Reg. Ho. [4] *Peerage*, i. 13. [5] Macfarlane's Collection, 116, Advocates' Library. [6] *Tenth Rep. Hist. MSS. Com.*, App. pt. vi. 78. [7] It is somewhat singular that Sir John Stewart of Darnley and Sir William Stewart appear to have spelt their name with a final 'd'—*vide* legend on Sir John's seal already cited.

perished early in the campaign, as Marion Stewart resigned her lands of Carnsalloch 'in sua viduitate' in favour of Sir Herbert Maxwell 28 October 1420.[1] She was subsequently married, about 1422, to Sir John Forrester of Corstorphine. She was buried in Corstorphine Kirk, where her tomb may still be seen bearing the arms of her two husbands. By her Sir John Stewart left two sons:—

1. Sir William, his successor, and
2. *John*, who became Provost of Glasgow, and was father, or grandfather, of 'Robert Stewart, citizen of Glasgow,' who appears in an entail of the Garlies property in 1542.[2]

Sir William Stewart, second of Garlies in this line, is believed to be identical with the 'Willielmus Stewart, scutifer,' who witnessed a charter in favour of Sir John Stewart of Darnley on 17 July 1428.[3] He appears as 'Sir William Stewart, Knight,' in a grant of the Kirk of Kirkmaho to the Cathedral of Glasgow made by his mother in 1429, with the consent of himself as her 'son and heir,' and of her husband Sir John Forrester of Corstorphine.[4]

On 23 April 1429, pursuant to precept of sasine from the King, an attempt was made to invest him in the lands of Minto in right of his grandfather, but the proceedings were opposed by Walter Turnbull of Minto, who contended that the grant of these lands to Sir William Stewart in 1390 was invalid by reason of the alleged leprosy of the grantor Sir John Turnbull, 'out wyth swerd.'[5] Ultimately, on 16 June 1453, an agreement was come to by which Sir William Stewart surrendered two-thirds of the lands to the Turnbulls, retaining one-third and the superiority of the lands.[6] He has been styled 'the favourite knight' of King James II. He sat in Parliament in 1467, and is believed to have died about 1479. Sir William Stewart married, first, Elizabeth ——. She was alive on 13 January 1459, on which date she appears in a charter.[7] Sir William is said to have married, secondly, Eupham Graham, generally supposed to have been of the family of Graham, Earls of Menteith. He had

[1] *Book of Caerlaverock*, ii. 421. [2] *Reg. Mag. Sig.*, 23 October 1542. [3] *Reg. Mag. Sig.* [4] *Reg. Epis. Glasguensis*, ii. 340; Crawford's *Officers of State*, App. p. 435. [5] Minto Charter-chest. [6] *Ibid.* [7] *Reg. Mag. Sig.*

two sons, but by which wife is unknown, though probably by the first.

1. Sir Alexander, his successor.
2. *Thomas*, who was his father's procurator in 1478 in a dispute with the Abbot of Jedburgh, relative to the lands of Stewartfield, near Jedburgh.[1] He had a grant of the lands of Synlaws, Merbottil, and Minto on 2 November 1476 on his elder brother's resignation. In the grant the King styles him 'familiaris armiger suus,' or Squire of the Body, a post which he held for many years.[2] He married Isabella Stewart, daughter of Walter Stewart of Arthurley, as appears from a charter dated 16 August 1477 in their favour by Sir John Stewart of Darnley, who therein terms them his 'cousins.'[3] He was ancestor of the Stewarts of Minto, for many years hereditary Provosts of Glasgow, and subsequently Lords Blantyre. (*See that title.*)

Walter Stewart of Tonderghie is said to have been a third son of Sir William Stewart of Garlies, but there is no evidence to support the statement, and it appears disproved by the fact that the lands of Tonderghie seem to have been acquired by a later generation, styled the Stewarts of Barclye.

Alexander Stewart, third of Garlies, succeeded his father about 1479-80. He was an adherent of his cousin Sir John Stewart of Darnley, and occurs in a declaration made at Edinburgh on 10 October 1482 by King James III. exonerating Sir John and his followers for having seized and carried him to Edinburgh Castle.[4] He was Ambassador to England about the year 1485,[5] and supported James III. at Sauchieburn against the rebel lords in 1488. He died about 1500.

He married Elizabeth Douglas (who is believed to have been a daughter of Sir Archibald Douglas of Cavers, Sheriff of Teviotdale) and had at least three sons and several daughters:—

1. *John*, who married Elizabeth Shaw, daughter of Sir

[1] *Parliamentary Register*, Book 3, 48. [2] *Reg. Mag. Sig.* [3] *Ibid.*, 25 June 1489. [4] Macfarlane's Collection, 74, Advocates' Library. [5] Rymer's *Fœdera*, xii. 267.

John Shaw of Haylie, Ambassador to Denmark. They had a grant of Dalswinton from his father, confirmed 29 October 1477.[1] He died *vitâ patris et s. p.*

2. ALEXANDER, who succeeded.
3. *Archibald*, parson of Kirkmaho, ancestor of the Stewarts of Fintalloch, and, it is believed, also of the Stewarts, Baronets of Fort Stewart, co. Donegal, and Lords Mountjoy and Blessington.[2]

Walter Stewart of Barclye, whose name occurs in an entail of the barony of Garlies in 1542, prior to the Stewarts of Fintalloch, and immediately next the main line, must either have been a fourth son (older than Archibald of Kirkmaho) or the parson's eldest son, Fintalloch being in that case, a younger line. The latter is probably the real position, as the Lords Mountjoy are generally understood to be descended from Barclye rather than from Fintalloch.

The daughters who have been definitely identified are:—

4. *Agnes*, married, about 1491, to John, Lord Maxwell,[3] and
5. *Janet*, married, as his second wife, to John Dunbar of Mochrum. Their son, Gavin Dunbar, was tutor to King James v., Archbishop of Glasgow, Chancellor of Scotland, and first President of the Court of Session.

ALEXANDER STEWART, fourth of Garlies, was unmarried in 1500, in which year his 'marriage' was purchased by John Dunbar of Mochrum. In a letter to the latter dated 1 January 1501-2, he is styled 'son and heir of the late Alexander Stewart of Dalswinton.'[4] He had sasine of Garlies in 1502,[5] and was one of the nobles killed at Flodden in 1513. In his father's lifetime he is sometimes styled Alexander Stewart of the Grenan or Greenend.[6]

He married Elizabeth Kennedy (believed to have been a daughter of Kennedy of Blairquhan), as appears from letters granted in 1535 to William Stewart (of the Minto line), Bishop of Aberdeen, in which 'Sir Alexander Stewart of Garlies and Elizabeth Kennedy his mother' are, *inter alia*,

[1] *Reg. Mag. Sig.* [2] Simson MS. *penes* Earl of Galloway. [3] *Book of Caerlaverock*, i. 163. [4] *Reg. Sec. Sig.* [5] *Exch. Rolls*, xii. 711. [6] *Acta Dom. Conc.*

placed under royal protection, during the Bishop's absence on an embassy to France.[1] The issue of the marriage was one son,

ALEXANDER STEWART, fifth of Garlies, born, apparently, about 1507-8. He was a minor under the tutory of his uncle, Archibald Stewart, parson of Kirkmaho, in the year 1521, while he was under curators (Lord Maxwell and Gordon of Lochinvar) on 6 November 1523.[2] He must therefore have attained the age of fourteen between these dates, and so been born about 1507-8 as stated. He shared in the general dispensation granted to the heirs of those who fell at Flodden, and accordingly had sasine of Garlies in 1514.[3] He was one of the Scots gentry captured at the rout of Solway Moss in 1542, and was carried to Carlisle by the Earl of Lennox, who, having been exiled from Scotland, was then in the English interest. From Carlisle he was removed to Pontefract Castle and placed under charge of Sir Henry Saville. He is termed 'a man of £100 land and more, and of good estimation, his pledge his son and heir with the Earl of Lennox for 206 men.'[4] On 13 January 1545 the Earl of Lennox, writing to the Earl of Shrewsbury an account of his proceedings, stated that after Solway Moss he had brought to Carlisle 'most part of the Galloway lairds, such as the Laird of Garlies, the Laird of Lochynwar, and tutor of Bomby,' who had entered their pledges with the Warden of the Marches. The letter proceeds: 'And forasmuch as *the laird of Garlies is my nere kinsman*, and of my sorname, I did tak in my custody, by My Lord Somersett's licence, only the said laird's sonne, beying of the age of xvi. yeares, whose substance I do not know perfectly, but by my judgment his father may spend xv. hundreth marks Scots, etc.'[5] His name appears in a 'band' entered into at Stirling on 26 June 1545 by which he and fifty-two other signatories engaged to be ready to 'invaid the realm of England als aft as the occasioun of tyme sall occur, and be thocht necessary and *profittable*.'[6] Notwithstanding this, the influence of his 'nere kinsman,' the Earl of Lennox,

[1] *Reg. Sec. Sig.* [2] Writs in Galloway Charter-chest. [3] *Exch. Rolls*, xiv. 536. [4] Talbot pp. in Lodge's *Illustrations of British History*, i. 44-45. [5] *Ibid.*, i. 133. [6] *Acta Parl. Scot.*, ii. 595*a*.

must have proved too powerful for him, as, on 26 April 1548, he had letters of remission for 'unlawfully passing into England, and treasonably remaining there.'[1] On 23 October 1542 he had charters erecting his estates into two baronies called Dalswinton and Garlies. The former embraced the lands of Dalswinton, Clugston, Glasserton, Conhaith, the parsonage of Kirkmaho, the superiority of the lands of Ormiston in Peeblesshire, and the half-merk lands of Minto, with the patronage of the rectory. The latter comprised the lands and barony of Garlies and Glenmannoch, with the office of Stewart within their bounds, mills, cruives, castles, fortalices, etc., etc., one infeftment taken at the Castle of Garlies to suffice for the whole.[2] The grant relating to Garlies throws interesting light on the line of succession, as by it the lands were to be held first to Sir Alexander Stewart himself, whom failing, secondly, to Alexander Stewart his son and heir, and the heirs-male of his body; thirdly, to John Stewart his next son, and the heirs-male of his body; fourthly, to other heirs-male of the body of Sir Alexander; fifthly, to Walter Stewart of Barclye and the heirs-male of his body; sixthly, to Archibald Stewart of Fintalloch and the heirs-male of his body; seventhly, to John Stewart of Minto, etc.; eighthly, to Robert Stewart, citizen of Glasgow, etc.; ninthly, whom all failing, to the nearest heirs-male of the said Sir Alexander Stewart, of the name of Stewart, and bearing the arms of the family of Garlies.

In 1556, the Friars of Wigtown, in anticipation of the Reformation, transferred to him the church lands of Wigtown. He was one of the pursuers in the process of forfeiture against James Hepburn, Earl of Bothwell, in the Parliament held at Edinburgh on 25 December 1567,[3] and in that of 1574 he was appointed a Commissioner for Wigtownshire, under the Act for enforcing musters and wapinschawings.[4] He sat in the Parliament of 1560 and 1565,[5] and was employed by James v., with whom he was high in favour, as Ambassador to his uncle Henry viii. In a charter dated 3 October 1572 he is styled 'Eques Auratus.'[6] He was alive on 4 February 1593, as appears from a confirmation

[1] Galloway Charter-chest. [2] *Reg. Mag. Sig.*, 23 October 1542. [3] *Acta Parl. Scot.*, iii. 9. [4] *Ibid.*, iii. 92*a*. [5] *Ibid.*, iii. 525*b*. [6] *Reg. Mag. Sig.*

of that date of a grant of certain of the church lands of Glenluce, which had been resigned to him by Laurence the Commendator,[1] but he died shortly thereafter, as may be inferred from a reference to him in a confirmation dated 1 August 1595.[2]

Sir Alexander Stewart, the fourth of Garlies, married, first, Katherine, daughter of Sir James Crichton of Cranstonriddel, as appears from a charter of Garlies granted to them on 12 July 1521, following on his own resignation with consent of his tutor, Archibald Stewart, parson of Kirkmaho.[3] He married, secondly, Margaret Dunbar, only daughter and heiress of Sir Patrick Dunbar of Clugstone; she, on 6 May 1532, as his wife, confirmed a charter to William Gordon of Craiglaw.[4] Margaret Dunbar must have died before 13 April 1552; he married, thirdly, Catherine, daughter of his cousin Walter Stewart of Barclye, who is styled his spouse in a charter of that date of the lands of Grenan.[5]

By his first wife he seems to have had no surviving, if any, issue. By Margaret Dunbar he had:—

1. ALEXANDER, his heir, who died *vitâ patris*, but leaving issue.
2. *John*, parson of Kirkmaho, who appears in the entail of 1542 (*ante*) and was ancestor of the Stewarts of Physgill and other families.
3. *Margaret*, married to Patrick M'Kie of Lurg, as appears from a grant by him to her dated 2 May 1582, and confirmed 1 August 1595.[6]

By his third wife, Catherine Stewart, he had:—

4. *Anthony*, who married Barbara, daughter of Alexander Gordon (titular Bishop of Athens, the first prelate to embrace Protestantism, and son of John Gordon, the Master of Huntly, by Lady Jean Stewart, natural daughter of James v.). He was parson of Pennigham, and ancestor of Colonel William Stewart, one of the veterans of the great Gustavus Adolphus, who, on his return to Scotland, purchased the lands of Castle Stewart—formerly styled Kilcreuchie—which ultimately came to his namesake, William

[1] *Acts and Decreets*, cxviii. f. 223. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] Galloway Charter-chest. [5] *Ibid.* [6] *Reg. Mag. Sig.*

Stewart, son of James, second Earl of Galloway, by marriage with the Colonel's granddaughter and heiress.

5. *Robert*, who married Mary Stewart, daughter of James Stewart of Cardonald (*see title* Lennox) and his wife Alice Reid. They had a charter of Cardonald, Over Darnlie, etc., on 3 October 1572.[1]
6. *William.*

   These three brothers appear as sons of Alexander Stewart, senior, of Garlies, and Catherine Stewart his spouse, in a charter by Alexander, Bishop of Galloway, of the lands of Clarie, the Grange, etc., dated at Whithorn 20 May 1564, by which these lands were entailed, first, on Sir Alexander Stewart of Garlies and his said wife in liferent; second, on their son Anthony; third, their son Robert, and fourth, their son William and the heirs-male of the bodies of the three last named.[2] They also occur in a settlement dated 31 December 1577, of the lands of Grenan in favour of their nephew Alexander, conform to an agreement between them and their late brother Sir Alexander Stewart of Dalswinton, Knight.[3]
7. *Helen*, married to William Gordon of Mureford, ancestor of Lord Kenmure.

ALEXANDER, the eldest son of Sir Alexander Stewart (fourth of Garlies), would seem to have been born about 1527, since the Earl of Lennox's letter, above quoted, says he was about sixteen years of age soon after the date of the Rout of Solway Moss (1542). He was certainly a minor on 13 June 1544, when, as superior of the barony of Clugstone (his mother's property), and with consent of his father and mother, he confirmed a grant of the lands of Barquhill, to Alexander Gordon, son of William Gordon of Craiglaw.[4]

He took a leading part in the Reformation in the South of Scotland, and, being accused of aiding and abetting one of the ministers at Dumfries, vowed that 'he would maintain and defend him against them and all other kirkmen that would put at him.'[5]

[1] *Reg. Mag. Sig.* [2] Galloway Charter-chest. [3] *Ibid.* [4] *Ibid.* [5] Papers in Scots College, Paris.

On 21 May 1565 he was knighted by Henry, Lord Darnley, on the occasion of his marriage to Mary, Queen of Scots,[1] and was at the same time presented with a comfit box (still in the possession of his descendant, Lord Galloway)—the cover bearing the inscription—'The Gift of Henry, Lord Darnley, *to his cousin*, Sir Alexander Stewart of Garlies.' Sir Alexander was a firm adherent of his kinsmen of Darnley and Lennox, and on the murder of Darnley he joined in a 'band' undertaking to protect the young Prince—afterwards James VI.[2] He was one of the leaders of the party of the Regent, Matthew Stewart, Earl of Lennox, father of the murdered Darnley—and when on 11 June 1571 Kirkaldy of Grange, the captain of Edinburgh Castle for Queen Mary, offered to justify himself of the charge of treason by challenging any of the Regent's party to single combat, the Regent intrusted the combat to 'the Laird of Garlies, being a Stewart *and his kinsman*, who had earnestly desired it.'[3] This quotation from a contemporary historian makes it perfectly clear that the relationship between the Stewarts of Garlies and those of Darnley was then matter of common knowledge. In the *Memoirs* of Richard Bannatyne, Secretary to John Knox, are preserved the letters which passed between the champions of the two sides, and in which Sir Alexander Stewart challenged Kirkaldy to fight 'with jak, speir, steil bonet, sword, and whinger, being the order of Scottis armour, where nane sal mell in the querrall bot ourselves.'[4] The matter never came to an issue, however, Kirkaldy excusing himself on the ground of the importance of his life to the Queen's cause. His rival, Sir Alexander Stewart, younger of Garlies, did not long survive this incident. Accompanying his kinsman the Earl of Lennox, he shared the fate of the latter in the surprise of Stirling by the Hamiltons, the Earl and his kinsman Sir Alexander Stewart being amongst the men of note who perished there (4 September 1571). His death is mentioned in a process of forfeiture against various Hamiltons in the Parliament of 10 November 1589.[5]

[1] Cotton's MSS., Calig. B. 10; Throgmorton's Letters to Sir William Cecil. [2] Keith's *History*, Preface, 10. [3] Hollinshead's *Chronicle*, 371. [4] P. 185 *passim*. [5] *Acta Parl. Scot.*, iii. 129.

Sir Alexander Stewart married Katherine Herries (second daughter and co-heir of William, Lord Herries of Terregles), as appears from a charter of the lands of Dalswinton dated 14 February 1550-51.[1] She was a minor in 1551, in which year she resigned the lands of Herries, with consent of her grandfather, Kennedy of Blairquhan. She married, secondly, John Wallace of Dundonald.[2] By her Sir Alexander Stewart had a son and two daughters:—

1. ALEXANDER.
2. *Agnes*, married in 1577 to Andrew Agnew of Lochnaw.
3. *Elizabeth*, married, first (contract 23 June 1582), to William Maxwell of Carnsalloch, who died 15 November 1586;[3] secondly, before 28 June 1589,[4] John Johnstone of Newbie, by whom she had six daughters; he died in 1605, and she was married, thirdly, about 1609, to Mr. Samuel Kirkpatrick, brother of Sir Thomas Kirkpatrick of Closeburn.[5]

ALEXANDER, fifth of Garlies, succeeded his grandfather, though the date of the latter's death is uncertain. He had sasine of Glasserton and Clugstone in 1576 and of Garlies in 1578, in right of his father, and under reservation of the liferent of his grandfather, Sir Alexander.[6] He had a grant of the lands of Coitland in 1588 for 'gude treue and thankfull service,' and another of the church lands, glebe, etc., of Kirkmaiden, and the office of Hereditary Bailie to the Priory of Whithorn, with the powers and privileges thereto belonging.[7] In February 1580 the lands of the Priory were resigned in his favour by Elizabeth Stewart, Countess of Moray, Margaret Stewart her sister, and Agnes Keith, relict of the Regent, James, Earl of Moray, their mother.[8] He had also a grant of certain lands and rents formerly belonging to the Friars of Wigtown, which his cousin, Robert Stewart, formerly of Cardonald, had resigned in his favour.[9] He was knighted in 1590, in honour of the marriage of King James VI. to

[1] *Reg. Mag. Sig.* [2] Barnbarroch Papers. [3] Edin. Tests, 3 March 1586-87. Inventory given by Homer Maxwell, brother of William, on behalf of his daughter Grizel. [4] *Acts and Decreets*, cxviii. f. 223. [5] *Gen. Reg. Inhib.*, xxxiv. f. 367. [6] Galloway Charter-chest. [7] *Acta Parl. Scot.* [8] Galloway Charter-chest. [9] *Reg. Mag. Sig.*, vi. 40.

Anne of Denmark,[1] and sat in the Parliaments of 1594 and 1596 as one of the representatives of the 'Nobilitie.'[2] He died in October 1597.[3] He married, first, before 10 October 1576, Christian, daughter of Sir William Douglas of Drumlanrig, ancestor of the Duke of Queensberry, and, secondly, Elizabeth Douglas, daughter of David, Earl of Angus, and widow of Lord Maxwell. By the latter, who married, thirdly, John Wallace, elder of Craigie, and died in 1637, he had no family, but by Dame Christian Douglas he had:—

1. ALEXANDER, his successor.
2. *Thomas*, who, as brother-german of Sir Alexander Stewart of Garlies, witnessed a deed on 3 March 1588.[4]
3. *William*, of Mains, who married Barbara, daughter and heir of James Stewart of Burray, in Orkney (nephew of Sir James Stewart, first Lord Doune, *see that title*). He had a charter of the lands of Cultihill and Seasyde in Fife, following on her resignation on 4 April 1637.[5] They had with other issue:—

   (1) *Sir Archibald Stewart* of Burray, Baronet, and
   (2) *William*, who was adjutant to the Marquess of Montrose at the Battle of Philiphaugh.

   This branch of the family became extinct in 1747, when Alexander, sixth Earl of Galloway, was retoured heir on 24 June 1747.
4. *Helen*, married to John Douglas of Stanhouse.
5. *Janet*, married to James Kennedy of Culzean.
6. *Nicolas*, married to Alexander Dunbar of Pankill.
7. *John*, of Powton—a natural son.[6]

I. ALEXANDER STEWART, sixth of Garlies, when he succeeded, was a minor and under curators, Walter Stewart, Commendator of Blantyre, and Robert Douglas, Provost of Lincluden. On 20 December 1600 he was retoured heir in certain lands in the parish of Whithorn, Bishopstoun, Balzequhir, Rowehane and Arom,[7] and on 30 July 1603 to the lands and barony of Glasserton and Clugstone,

[1] Rymer's *Fœdera*, xvi. 60. [2] *Acta Parl. Scot.*, iv. 56*a*, 97*a*. [3] Retour in Galloway Charter-chest. [4] Galloway Charter-chest. [5] *Reg. Mag. Sig.* [6] Sasine 2 February 1630, Galloway Charter-chest. [7] *Chancery Retours.*

embracing also the Kirklands of Kirkmaiden, the advocation of the Kirks of Penninghame and Kirkmaho, the office of Bailie of Wigtown, the barony of Dalswinton, the superiority of Ormiston in Peeblesshire, and the half-merk lands of Minto, with the advocation of the rectory.[1]

On 19 July 1607 he was created LORD GARLIES with remainder to the heirs-male of his body succeeding to Garlies, on account, as the grant bears, of good service for many years, and '*because of his uninterrupted descent from the ancient and most noble family of Lennox.*'[2] King James was himself the head of the House of Lennox, and familiar with its genealogy, and as an additional honour, he deputed his cousin Ludovic, whom he had created Duke of Lennox, to confer the new dignity personally on Sir Alexander Stewart of Garlies. Following on this, Sir Alexander sat in the Parliaments of 1609, 1612, 1617, and 1621 as Lord Garlies.

Between 1619 and 1623 he negotiated with James Stewart, Lord Ochiltrie, for the acquisition of the latter's barony of Corswell, the lordship and barony of Ochiltrie, and the baronies of Salton and Glencorse, in Midlothian.[3] On 17 July 1623 he had a grant of the barony of Corsewell on his own resignation, with a grant of a burgh of barony to be called the Burgh of Stewarton, at such place as he might select, there being, as the charter runs, many places in the barony conveniently situated for a burgh and for a spacious and commodious harbour on the coast between Scotland and Ireland.[4] On 19 September 1623 he was raised to the dignity of EARL OF GALLOWAY, with remainder to his heirs-male, bearing the name and arms of Stewart. He was a firm supporter of King Charles I., who, on 2 February 1628, appointed him a Privy Councillor.[5] He died in 1649.

He married (contract 15 October 1600) Grizel, daughter of Sir John Gordon of Lochinvar, by whom he had:—

1. *Alexander*, Lord Garlies, who died *vitâ patris* in 1638. He married, first, at Chelsea, on 29 December 1627 (he aged eighteen and she fifteen), Anne, daughter of Charles Howard, Earl of Nottingham, and his wife Margaret Stewart, daughter of James Stewart

[1] *Chancery Retours.* [2] *Reg. Mag. Sig.* [3] *Ibid.*, viii. 5, 171, 322, 497, etc. [4] *Ibid.*, viii. 496. [5] Galloway Charter-chest.

'the bonnie Earl o' Murray.' By her he had no issue. He married, secondly, at Edinburgh (contract dated 15 July 1633), Margaret Graham, second daughter of William Graham, Earl of Strathern and Menteith, President of the Privy Council and Lord Justice-General of Scotland. She married, secondly, before 5 October 1643,[1] Ludovic, Earl of Crawford. By Margaret Graham Lord Garlies had a son:—

(1) *Alexander*, Lord Garlies, who was retoured heir to his father on 2 May 1639, and died in 1643 unmarried.

He had also a natural son,

(2) *John* of Glassock, as appears from a grant of these lands dated 5 October 1646.[2]

2. Sir James, second Earl.

3. *Anne*, married, by marriage-contract dated at Glasserton 22 March 1625,[3] to Andrew Agnew of Lochnaw.

II. Sir James, second Earl of Galloway, born about 1604, was created a Baronet of Nova Scotia on 18 April 1627 under the style of Sir James Stewart of Corsewell, with remainder to his heirs-male. On his nephew's death as above, he was served heir to his elder brother Alexander, Lord Garlies, on 5 September 1643,[4] and to his father on 4 December 1649.[5] He also was a firm adherent of Charles I. and II., and was fined for 'malignancy' in the sum of £4000 under Cromwell's Act of Grace and Pardon 12 April 1654. He is described as 'a proper stately person, and most affable and courteous.'[6] In 1661 he and his son Alexander, Lord Garlies, were appointed Commissioners of Wigtownshire and the Stewartry of Kirkcudbright to raise a grant to Charles II.[7] He died before 15 February 1671 (when his son was served heir to him), having married, first, Catherine, third daughter of Sir Richard Houghton, Bart.,[8] and secondly, in 1642, Nicolas, daughter of Sir Robert Grierson of Lag (marriage-contract at Dumfries 22 September 1642[9]). They had:—

1. Alexander, third Earl.

2. *Robert* of Ravenstone or Glasserton. He married, in 1671, Elizabeth, eldest daughter of Sir David

[1] *Reg. of Deeds*, DLII. 18. [2] Galloway Charter-chest. [3] Agnew's *Hereditary Sheriffs*, I. 462. [4] *Inquis. Gen.*, 2898, 3579. [5] *Acta Parl. Scot.*, VI. II. 820*a*. [6] Symson's *History*, 1702. [7] *Acta Parl. Scot.* [8] Collins's *Baronetage*, I. 45. [9] Galloway Charter-chest.

Dunbar of Baldoon, and sister to David Dunbar, the original of the 'Master of Ravenswood' in Scott's *Bride of Lammermoor*. Robert Stewart and his wife were denounced for sheltering the persecuted Covenanters, and were outlawed for the offence on 2 April 1679,[1] but through the friendship of Lord Queensberry they were leniently dealt with. He died about 1687, leaving four daughters:—

(1) *Helen*. (2) *Elizabeth*. (3) *Nicolas*, and (4) *Grizel*, who were served heirs to their father on 19 April 1687. Ravenstone or Remiston reverted to his younger brother.

3. *A son*—name unknown.
4. *William* of Castle Stewart (formerly known as Kilcreuchie[2]), which came to him by marriage with Elizabeth Gordon, daughter and heiress of John Gordon of Cardoness and his wife Elizabeth Stewart, daughter and heiress of Colonel William Stewart, of Castle Stewart (*see* Anthony Stewart of Clary, p. 155). He was M.P. for Wigtownshire in 1650, and, like his brother, was a sympathiser with the Covenanters, being fined £600 for the offence. On 1 November 1671 he had a grant of certain lands from the Bishop of Galloway, being therein styled fourth lawful son of James, late Earl of Galloway. Elizabeth Gordon his spouse is also named.[3] He was in favour with Charles II., however, in 1677, in which year he had a grant (1 July 1677)[4] of a burgh of barony, and commenced building the burgh of Newton Stewart shortly thereafter.[5] On 25 October 1677 he had sasine of the lands of Castle Stewart and of the burgh of barony of Newton Stewart.[6] He had one son,

(1) *William*.

5. *Isabella*, married (contract 9 April 1672[7]) to Alexander, fifth Viscount Kenmure, with issue.

III. ALEXANDER, third Earl of Galloway, succeeded his father before 15 February 1671, but little is known of him beyond the fact of his having restored the family fortunes which had been seriously impaired by the Civil War. On

[1] Wodrow's *Hist.*, ii. 8. [2] *Acta Parl. Scot.*, x. 95. [3] Galloway Charter-chest. [4] *Acta Parl. Scot.*, x. 95. [5] Galloway Charter-chest. [6] *Acta Parl. Scot.*, x. 95. [7] Galloway Charter-chest.

20 December 1676 he had a commission from Charles II. as captain of the militia troop of horse in Wigtownshire and the Stewartry of Kirkcudbright.[1] He and his brothers Robert and William were Commissioners for the Supply voted in 1678. He died about 1690, having married Mary, daughter of James Douglas, second Earl of Queensberry, and had issue :—

1. Alexander, Lord Garlies, fourth Earl.
2. James, fifth Earl.
3. *John* of Sorbie. He was a brigadier-general 10 June 1702, and represented Wigtownshire in Parliament 1702-27. He is stated to have died unmarried, and to have been buried at Sorbie 22 April 1748,[2] but this is disputed by the Steuarts of Steuarts Lodge, Ireland, who assert that he married, in 1722, at the age of sixty, Bridget, sister of Admiral Pocklington, by whom he had a son and daughter, from the former of whom the present family of Steuarts Lodge descend. The family MS. contains many details of the brigadier's services in Spain during the Wars of the Succession.
4. *Andrew*, died in the Darien Expedition in 1699.
5. *William*. His will is dated at Sorbie 4 and 24 December 1735.[3]
6. *Robert*.
7. *Margaret*, married, 6 March 1761, to Sir John Clerk of Penicuik, Baronet, a Baron of the Court of Exchequer, and died in childbed 21 December 1761.[4]
8. *Henrietta*, married, in 1704,[5] to William Cunningham, Earl of Glencairn, and died at Glasgow 21 October 1763, in her eighty-first year.

IV. Alexander, fourth Earl, was born on 8 January 1670. He succeeded to the earldom in 1690, but died unmarried on 26 September 1690, and was buried in the Regent Moray's tomb in St. Giles' Church, Edinburgh, on 2 October 1690.[6]

V. James, fifth Earl, succeeded his brother, and was retoured heir to his father and brother on 6 December 1693.[7] He took the oaths and his seat in Parliament on 27

[1] Galloway Charter-chest. [2] *Scots Mag.* [3] Galloway Charter-chest. [4] *Clerk's Memoirs*, Scot. Hist. Soc., 38-42. [5] Douglas gives the date 20 February, but Clerk in his *Memoirs* says the marriage was in November (p. 54). [6] Coffin plate. [7] *Inquis. Gen.*, 7415.

May 1695.[1] He was a Commissioner of the Treasury, a Privy Councillor in Scotland, and a strenuous opponent of the union with England. He also held office as a Lord of Police in Scotland till 1740. James, fifth Earl of Galloway, died at Glasserton House on 16 February 1746. He married, in 1694, Catherine, daughter of Alexander Montgomerie, ninth Earl of Eglinton. She died in December 1737, aged eighty. They had issue:—

1. ALEXANDER, sixth Earl of Galloway.
2. *James*, entered the 3rd Foot Guards (now Royal Scots Fusiliers); became major on 4 June 1745, and, after Fontenoy, lieutenant-colonel, 8 March 1748. Subsequently he became lieutenant-general and colonel of the 37th Regiment. He was M.P. for the Wigtown Burghs 1734-41 and 1747-54, and for the County of Wigtown 1741-47 and 1754-61. He died at Cally House, Gatehouse-on-Fleet, on 27 April 1768.[2] His will, dated London, 8 March 1768, provides for a natural daughter, *Helen Stewart*.
3. *William*, a Captain in Boll's, otherwise the 12th, Regiment of Dragoons, succeeded his elder brother as M.P. for the Wigtown Burghs 1741-47.
4. *George*, died while a student at Edinburgh University.[4]
5. *Margaret*, married, first, 11 June 1713, by contract dated Edinburgh, 11 June 1713, to James, Earl of Southesk, who was attainted in 1715, and died in 1730; and secondly, 16 August 1733,[5] by contract dated 4 and 7 August 1733 at Edinburgh and London,[6] to John, Master of Sinclair, also attainted in 1715. She died at Edinburgh 22 July 1747, without issue, and was buried at Dysart 28 July 1747.
6. *Euphemia*, married (contract 17 February 1726[7]) to Alexander Murray of Broughton, and died at Ayr 9 November 1760.
7. *Catherine*, died unmarried.
8. *Anne*, died unmarried, at Kirkcudbright, 12 March 1755.

VI. ALEXANDER, sixth Earl, was born about 1694, and

[1] *Acta Parl. Scot.*, ix. 347*a*. [2] *Scots Mag.* [3] Galloway Charter-chest. [4] *Southesk Book*, i. 186. [5] *Gent.'s Mag.*, iii. 438. [6] Galloway Charter-chest. [7] *Ibid.*

was retoured heir to his father on 24 June 1747. During his father's lifetime he was, in 1740,[1] appointed a Lord of Police. Under the Act for abolishing Hereditary Jurisdictions he claimed £6000 in respect of his hereditary offices of Bailie of Regality of the Priory of Whithorn, Stewart of the Stewartry of Garlies, and Bailie of Regality for the Island of Burray, in Orkney, to the last of which he had succeeded on the death of his kinsman (*see* William of Mains and Burray, brother of Alexander, first Earl). The sum awarded was, however, only £321, 6s. He died at Aix, in Provence, France, on 24 September 1773, in his seventy-ninth year, having married, first, in or before 1719, Anne, second daughter of William Keith, ninth Earl Marischal. She died in 1728, and the Earl married, secondly, 5 January 1728-29, Catherine, third and youngest daughter of John Cochrane, fourth Earl of Dundonald. The Countess of Galloway and her sisters, Anne, Duchess of Hamilton, and Susan, Countess of Strathmore, were celebrated beauties of their day. She died at Bath on 15 March 1786. Her will was proved at Edinburgh 1 April 1786.

By his first wife the Earl had:—

1. *Alexander*, Master of Garlies, born 26 August 1719, and died *v. p.* and unmarried at Aix-la-Chapelle in 1738.
2. *James*, who died of smallpox on 11 November 1733, while a student at Dalkeith School.
3. ——, a son, who died in infancy.
4. *Mary*, married, by contract dated 11 September 1741,[2] to Kenneth, styled Lord Fortrose, eldest son of the attainted William Mackenzie, fifth Earl of Seaforth. Lord Fortrose died 18 October 1761, predeceased by his wife, who died in Kensington on 10 April 1751.

By his second wife the sixth Earl had:—

5. JOHN, seventh Earl.
6. *George*, a lieutenant in Lord Howe's Regiment of Foot, fell before Fort Ticonderago, 8 July 1758, during the American War of Independence.
7. *William*, who died young.
8. *Keith*, of Glasserton, who entered the Navy. He commanded the *Berwick*, 74 guns, in Admiral

[1] *Scots Mag.*, July 1740. [2] Galloway Charter-chest.

Keppel's engagement with the French in 1778; was commodore, under Parker, in the action with the Dutch at the Dogger Bank in August 1781; commanded the *Cambridge* in Lord Howe's squadron at the relief of Gibraltar in 1782; became rear-admiral in 1790, and vice-admiral in 1794. He was M.P. for the Wigtown Burghs 19 February to 15 April 1762, and for Wigtownshire in 1768, in which year he was appointed Receiver-General of the Land Tax in Scotland. He acquired the barony of Glasserton in 1763,[1] and died at Glasserton 5 May 1795, aged fifty-six. He married, 13 May 1782, Georgina Isabella, daughter of Simha D'Aguilar, by whom he had four sons, three of whom entered the Navy, the eldest and youngest being drowned at the ages of thirteen and fifteen respectively. His second son,

James Alexander, born 23 September 1784, married, 21 May 1817, Mary, eldest daughter and co-heir of Francis Mackenzie, Lord Seaforth, and widow of Sir Samuel Hood, K.B. He thereafter assumed the name of Stewart-Mackenzie, and his grandson, Colonel J. A. Stewart-Mackenzie of Seaforth is the present heir of line of the ancient House of Seaforth.

9. *Catherine*, married, 12 April 1752, to her cousin, James Murray of Broughton, M.P. for Wigtownshire. He died at York 20 April 1799.
10. *Susannah*, married, 23 May 1768, as his third wife, to Granville, first Marquess of Stafford, K.G., and died at London 15 August 1805.
11. *Margaret*, married, 22 April 1759, to Charles Gordon, fourth Earl of Aboyne, and died at Aboyne Castle 12 August 1762, leaving issue.
12. *Euphemia*, who died, unmarried, in 1818.
13. *Harriet*, married, 25 May 1765, to Archibald, ninth Duke of Hamilton, and died, 26 November 1788, leaving issue.
14. *Charlotte*, married, 21 February 1759, to John Murray, fourth Earl of Dunmore. She died 11 November 1818, leaving issue.

VII. JOHN, seventh Earl of Galloway, fourth, but eldest surviving, son (and also eldest son by his father's second

[1] Sasine 22 December 1763.

marriage), was born on 15 March 1736. While Lord Garlies, he was M.P. for Morpeth in 1761, and for Ludgershall in 1768. In the latter year he was appointed a Member of the Board of Police, and a Commissioner of Trade and Plantations in 1772. On 14 October 1773, after succeeding to the earldom, he was made a Lord of Police, and he sat in Parliament from 1774 to 1790 as a Representative Peer for Scotland. On 1 November 1775 he was created Knight of the Thistle, and was appointed a Lord of the Bedchamber in 1784. On 6 June 1796 he was created BARON STEWART OF GARLIES, in the Peerage of the United Kingdom. He died at Galloway House on 13 November 1806, in his seventy-first year, and was buried at Sorbie on the 27th of the same month.

He married, first, 14 August 1762, Charlotte Mary, third daughter of Francis Greville, first Earl Brooke and Earl of Warwick, by Elizabeth, daughter of Lord Archibald Hamilton. She was born on 6 July 1745, and died at Edinburgh, as Lady Garlies, on 31 May 1763, in her eighteenth year. By her the Earl, then Lord Garlies, had two sons, but both died in infancy. He married, secondly, on 13 June 1764, at St. George's, Hanover Square, Anne, second daughter of Sir James Dashwood, second Baronet of Kirtlington. She died at Davies Street, London, 8 January 1830, aged eighty-seven. By her Lord Galloway had:—

1. *Alexander*, Master of Garlies, who died in infancy at London on 29 March 1766.
2. GEORGE, eighth Earl.
3. *Leveson*, who died in his ninth year.
4. *Sir William*, of Cumloden, born on 10 January 1774. He entered the Army as an ensign in the 42nd Royal Highlanders, 'Black Watch,' and was mainly instrumental in raising the Rifle Brigade, of which he became lieutenant-colonel on 25 August 1800. He was severely wounded in the attack on Ferrol, was promoted to the rank of colonel on 2 April 1801, and accompanied Nelson to Copenhagen, the friendship then formed with the great sea captain lasting through life. Many interesting and characteristic letters from Nelson to Sir William Stewart are preserved at Cumloden House, now a seat of the Earls

of Galloway. Sir William became brigadier-general in 1804, was third in command in the expedition to Egypt in 1807, and was present at the surrender of Alexandria and siege of Rosetta, where he was again wounded, but would not quit his post. He was promoted to the rank of major-general in 1808, and on 31 August 1809 was made colonel-commanding of his old regiment, the Rifle Brigade. On 4 June 1813 he was appointed lieutenant-general, and served in the Peninsular campaign, in command of the A Division. He was present at the battles of Albuera, Vittoria, Pyrenees, Nivelle, Nive, and Orthes, for which he had a medal and two clasps. For his great services he was created G.C.B., and twice received the thanks of Parliament. He was M.P. for Saltash in 1795, for Wigtown County from 1796 to 1802, for the Wigtown Burghs from 1803 to 1805, and again for Wigtown County from 1812 to 1816. He died at Cumloden on 7 January 1827, having married, on 21 April 1804, Frances, daughter of the Honourable John Douglas, and granddaughter of James, sixteenth Earl of Morton. She died 6 August 1833.

5. *Charles James*, born 15 April 1775, was a Fellow of All Souls College, Oxford. He was Rector of Orton, Huntingdonshire, a Doctor of Divinity, and was subsequently appointed Bishop of Quebec 1 January 1826. He died, unmarried, on 13 July 1837.
6. *Montgomery Granville John*, of Grennan, and afterwards of Castramont, born on 15 April 1780, and died on 10 January 1860. He was M.P. for the Stewartry of Kirkcudbright from 1802 to 1812. He married, on 22 October 1801, Catherine (who died 16 January 1833), daughter of Patrick Honeyman, by whom he had one son and seven daughters.
7. *Edward Richard*, born 5 May 1782. He joined the Foot Guards, but exchanged in 1804 for a troop in the 7th Dragoon Guards, and subsequently for a company in the 97th Regiment. He acted as Brigade-Major in Scotland, was M.P. for the Wigtown Burghs from 1806 to 1809, in which year he was appointed a Commissioner for victualling the Navy. He died on 27

August 1851, having married, on 19 November 1805, Katherine, daughter of Francis, Lord Elcho, and sister of Francis, eighth Earl of Wemyss. By her, who died on 8 October 1863, he had three sons and three daughters. The eldest son, the *Rev. Edward Stewart*, M.A., Rector of Lamiston and Vicar of Sparholt, was father of Major-General Sir Herbert Stewart, K.C.B. and V.C., Aide-de-camp to H.M. Queen Victoria, who led the Desert Expedition for the relief of General Gordon at Khartoum, in which he died of wounds received at Abu Klea and the battle of Metammeh, Egypt, on 10 February 1885.

8. *James Henry Keith*, born 22 October 1783. He was a captain in the 95th Regiment in 1805, and in 1807 acted as Major of Brigade to his brother, Sir William, in the Egyptian campaign, and subsequently to Major-General Paget in Sweden and Portugal. He was M.P. for the Wigtown Burghs from 1812 to 1821, became a lieutenant-colonel and C.B., and died on 18 July 1836. He married, on 10 August 1819, Henrietta Anne, second daughter of the Rev. Spencer Madan, D.D., by whom, who died 24 October 1829, he left issue.
9. *Catherine*, married, 28 September 1782, to Sir James Graham, first Baronet of Netherby, and died 20 September 1836, leaving issue.
10. *Susan*, married, 15 September 1791, to George, fifth Duke of Marlborough, K.G., and died 2 April 1841, leaving issue.
11. *Anne Harriet*, married 8 August 1795, to Lord Spencer Chichester, second son of the Marquess of Donegal, and died 30 January 1850.
12. *Elizabeth Euphemia*, married, 3 January 1798, to William Phillips Inge of Thorpe Constantine, co. Stafford, and died 12 November 1855, leaving issue.
13. *Georgiana*, who died in the island of Malta 12 April 1804.
14. *Charlotte*, married, 12 September 1801, to the Hon. Sir Edward Crofton, third Baronet of Mote, co. Roscommon, and died May 1842, leaving issue.

15. *Caroline*, married, 16 January 1803, to the Hon. and Rev. George Rushout, and died in 1818.
16. *Sophia*, married, 21 July 1806, to Colonel the Hon. William Bligh, third son of John Bligh, third Earl of Darnley, and died in 1809, leaving issue.

VIII. GEORGE, eighth Earl, fourth, but eldest surviving son (and second son by the second marriage) of the seventh Earl, was born on 24 March 1768. He was styled Lord Garlies from 1773 to 1806. Entering the Navy in March 1780 as a midshipman under his uncle, Captain the Hon. Keith Stewart, on board the *Berwick*, '74,' he was present at the action off the Doggerbank in 1801. He was promoted to the rank of lieutenant on 8 August 1789, and of commander in 1790. He commanded the *Vulcan* fireship under Lord Hood in 1793, and was advanced to be captain in the same year. He commanded the frigate *Winchelsea* in Admiral Sir John Jervis's expedition to the West Indies, and was mentioned in despatches for having 'placed his ship in the good old way within half musket shot' of a battery. At the Battle of St. Vincent, 14 February 1797, he was in command of the frigate *Lively*, and was detailed to carry home the tidings of the victory. He was M.P. for Saltash in 1790-95, a Lord of the Admiralty on 30 April 1805, and M.P. for Cockermouth 1805-6, for Haslemere 1806, and 28 March 1807 Lord-Lieutenant and Sheriff-Principal of Wigtownshire. He attained the rank of Rear-Admiral of the Blue in 1810, and was created K.T. 23 May 1814, being invested on 30 May. On 18 April 1797, at St. James's, Westminster, he married Jane, second daughter of Henry Paget, first Earl of Uxbridge, and sister of the first Marquess of Anglesea. The Earl died at Hampstead, Middlesex, on 27 March 1834, in his sixty-sixth year. His widow, who was born on 1 September 1774, died at Rutland Gate, Hyde Park, on 30 June 1842. They had issue:—

1. RANDOLPH, ninth Earl.
2. *Arthur*, born 18 December 1805, died 3 January 1806.
3. *Alan*, born 23 December 1807, died 1 May 1808.
4. *Keith*, born 3 January 1814. Entered the Navy and served in the Baltic during the Russian War, and in China. He was created a C.B. and vice-admiral,

and married, 9 August 1841, Mary Caroline, only daughter of Sir Charles FitzRoy, K.C.B., and died 15 September 1879, leaving issue.

5. *Jane*, born 29 March 1798; married, 13 January 1819, to George, sixth Duke of Marlborough, and died 12 October 1844, leaving issue.
6. *Caroline*, born 16 August 1799; died unmarried, 30 July 1857.
7. *Louisa*, born 18 March 1804; married, 18 December 1823, to William, second Lord Feversham, and died 5 March 1889, leaving issue.
8. *Helen*, born 8 July 1810, died 26 January 1813.

IX. RANDOLPH, ninth Earl, was born on 16 September 1800 at Coolhurst, Sussex. He was styled Lord Garlies from 1806 to 1834. Educated at Harrow; he was M.P. for Cockermouth from 1826 to 1831. He became Lord-Lieutenant of the Stewartry, and also of Wigtownshire, in 1828, and held the former till 1845, and the latter till 1851, when he resigned. On 9 August 1833 he married Harriet Blanche, seventh daughter of Henry Charles Somerset, sixth Duke of Beaufort, K.G. His lordship died at Galloway House on 2 January 1873, aged seventy-two, and the Countess at 85 Eaton Square, London, on 25 May 1885, aged seventy-four. They had issue:—

1. ALAN PLANTAGENET, tenth Earl.
2. RANDOLPH HENRY, eleventh Earl.
3. *Alexander*, born 8 November 1838; a major-general, and late of the Royal Horse Artillery. He was Deputy-Lieutenant for the county of Wigtown and Stewartry of Kirkcudbright, and served in the second Afghan campaign and in China. On 12 June 1883 he married Adela Maria, daughter of Sir Robert Loder, Baronet, of Whittlebury, M.P., and died 6th January 1896, leaving issue.
4. *Walter John*, born 7 February 1849, was colonel commanding 12th Lancers, and is a J.P. for Wigtownshire.
5. *Malcolm*, born 12, died 20, June 1853.
6. *Fitz Roy Somerset Keith*, born 19 December 1855, M.A. Oxon.; married, 17 July 1888, Elizabeth Louisa,

daughter of Rev. A. Rogers of Yarlington (and widow of J. Stanley Thomson, Esquire), and has issue.

7. *Helen Blanche*, born 9 May 1834; married, 20 April 1896, to Walter Clifford Mellor, son of Colonel Mellor, M.P., and died 5 January 1903 *s. p.*
8. *Emma Georgiana*, born 6 November 1840; married, 2 December 1858, to Wilbraham Frederick, second Lord Tollemache of Helmingham, and died 24 January 1869, leaving issue.
9. *Mary Louisa*, born 14 November 1842; married, 13 August 1874, to Charles Edward Stephen Cooke of Doncaster. He died 28 October 1895.
10. *Jane Charlotte*, born 10 July 1846; married, 9 February 1882, to Henry Anthony Spedding of Mirehouse, Cumberland, and died 24 September 1897, leaving issue. He died 21 September 1887.
11. *Emily Octavia*, born 29 August 1847; married, 4 February 1875, to Captain the Hon. Francis Algernon James Chichester, youngest son of the first Lord Templemore, and has issue. He died 15 February 1885, leaving issue.
12. *Henrietta Caroline*, born 7 June 1850; married, 3 August 1880, to Algernon Turnor, C.B., and has issue.
13. *Isabel Maud*, born 18 May 1852.

X. Alan Plantagenet, tenth Earl, was born 21 October 1835. Was captain Royal Horse Guards Blue, hon. colonel 4th Battalion Royal Scots Fusiliers, M.P. for Wigtownshire 1868-73, Her Majesty's Commissioner to the General Assembly of the Church of Scotland 1876-77, and a K.T. He married, 25 January 1872, Mary Arabella Arthur, third daughter of James Cecil, second Marquess of Salisbury, K.G. He died at Cumloden, 7 February 1901, and the Countess in the New Forest on 18 August 1903, *s. p.*

XI. Randolph Henry, eleventh Earl, was born 14 October 1836. Educated at Harrow. Was captain in the 42nd Royal Highlanders 'Black Watch,' and served in the Crimea and the Indian Mutiny. On 3 June 1891 he

married Amy Mary Pauline, only daughter of the late Anthony Cliffe of Bellevue, co. Wexford, and has issue:—

1. *Randolph Algernon Ronald*, Lord Garlies, born 21 November 1892.
2. *Keith Anthony*, born 8 September 1894.

CREATIONS.—19 July 1607, Lord Garlies; 19 September 1623, Earl of Galloway, in the Peerage of Scotland; 6 June 1796, Baron Stewart of Garlies, in the Peerage of Great Britain.

ARMS (from Peers' Arms MS., Lyon Office).—Or, a fesse chequy azure and argent, surmounted of a bend engrailed, gules, within a double tressure flory counterflory gules.

CREST.—A pelican in nest, vulning herself argent, winged or.[1]

SUPPORTERS.—Dexter, a savage man wreathed about the head and middle with laurel, and holding a club in right hand, all proper; sinister a lion rampant gules.

MOTTO.—*Virescit vulnere virtus.*

[J. K. S.]

[1] The seal of Sir Alexander Stewart of Garlies, attached to a deed of the year 1550 in the Galloway Charter-chest, has a unicorn's head for crest, no doubt derived from the maternal ancestor, Marion Stewart of Dalswinton (see p. 149), whose arms were a fesse chequy between two unicorns' heads in chief and one in base. The unicorn's head, therefore, appears to be the earlier crest of the family.

LINDSAY, VISCOUNT GARNOCK

PATRICK LINDSAY, fifth[1] but second surviving son of John, first Earl of Lindsay, who succeeded as seventeenth Earl of Crawford (*see that title*) born in September 1646, was married, 27 December 1664, at Holyrood, to Margaret Crawfurd, younger daughter and co-heir of Sir John Crawfurd of Kilbirnie, (the elder daughter Anna married Archibald Stewart of Blackhall), and acquired the estate of Kilbirnie under a bond of tailzie executed by Sir John 31 July 1662. This entail is recited in a decreet of the Lords of Council and Session dated 4 February 1669, printed in the Minutes of Evidence in the Crawford Peerage claim.[2] He assumed the surname and arms of Crawfurd of Kilbirnie. He and his wife died October 1681, having had issue:—

1. JOHN, afterwards Viscount Garnock.
2. *Patrick*, who died 16 May 1716, and was buried in the Greyfriars cemetery, Edinburgh,[3] having made his testament 6 December 1698, previous to going to the West Indies.[4]
3. *Archibald*, appointed ensign 1 July 1706, and lieutenant

[1] Contemporary Pedigree at Haigh; *Lives of the Lindsays*, ii. 39.
[2] Crawford Peerage Case Minutes of Evidence, 162-165. [3] Greyfriars Reg.
[4] Original in Glasgow Charter-chest; Crawford Minutes, 462.

25 September 1711 in Earl of Orkney's regiment.[1] Executor of his brother Patrick's will. Both were remainder men in the Kilbirnie entail of 1707. On 22 February 1735 he was returned as non-effective in the regimental papers,[2] having neither exchanged nor resigned; and in a letter, dated 1 April 1736,[3] of his nephew James Crawfurd he is described as dead. He died, therefore, at Kinsale, where his regiment was stationed, 22 February 1735.

4. *Margaret*, married (contract 1687[4]) to David Boyle of Kelburne, created[5] Lord Boyle of Kelburne 1 January 1699, Earl of Glasgow 12 April 1703, whose issue succeeded to the estate of Kilbirnie.
5. *Anne*, married (as second wife), 26 January 1704[6] at Kilbirnie, to Henry Maule of Kelly, brother-german of James, Earl of Panmure, and had issue.[7]
6. *Magdalen*, married, 31 December 1706, at Kilbirnie[8] to George Dundas[9] of Duddingston, and had issue.

I. JOHN (Lindsay) Crawford of Kilbirnie, born 12 May 1669, registered in Edinburgh,[10] was served heir to his father in the estate of Kilbirnie at Irvine 4 December 1690,[11] and to his mother. He was M.P. for Ayrshire 1690-1703. By letters patent dated at St. James's 26 November 1703[12] he was created VISCOUNT GARNOCK and LORD KILBIRNIE, KINGSBURNE, and DRUMRY (having previously been created Viscount of Mount Crawford, which name was altered to Garnock) to him and his heirs-male. He sat in Parliament 1704.[13] He married, in January 1697, Margaret Stewart, daughter of James, Earl of Bute,[14] who died before 7 May 1738 at Edinburgh, her testament-dative being confirmed then, and on 18 July[15] to her sons John and James.

Lord Garnock was a member of the Privy Council. He obtained a charter of entail 11 February 1707, in which his brothers and sisters are mentioned.[16] He died at Edinburgh

[1] Haigh Papers. [2] Crawford Minutes, 502-515. [3] Haigh Papers. [4] Crawford-Lindsay Charter-chest. [5] *Reg. Mag. Sig.* [6] Kilbirnie Reg. [7] Decreet, 10 February 1736. [8] *Ibid.* [9] *Ibid.* [10] Edin. Reg. [11] Crawford Minutes, 166. [12] Printed in Crawford Minutes, 167. [13] *Vide Acta Parl. Scot.* [14] Haigh Letters. [15] Edinburgh Com. Court. [16] Crawford Minutes, 396.

24 December 1708, and was buried 25 December at Kilbirnie,[1] having had issue :[2]—

1. PATRICK, his heir.
2. *John*, advocate, and clerk to the admission of notaries. Baptized at Kilbirnie 17 January 1699,[3] and died *s. p.* 15 February 1739, testament-dative confirmed to James at Edinburgh as nearest of kin.[4]
3. *James*, baptized at Kilbirnie 15 May 1700,[5] executor to his mother, a consenting party to the Act of Parliament 1741 mentioned below. Surveyor of Customs at Torrie, and died in London *s. p.* in March 1744-45. Buried at St. Martin's. (*See* NOTE, p. 177.)
4. *David*, bred a physician, baptized at Kilbirnie 14 May 1701,[6] mentioned in a deed of provision by Lord Garnock 23 September 1708,[7] witness to a charter of Viscount Patrick 31 May 1734.[8] Dead *s. p.* in 1741.
5. *Charles*, captain R.N., commanded H.M.SS. *Roebuck* and *Dartmouth*, a consenting party 1741.[9] He was living in Chelsea shortly before his death, and died in the house of his sister Margaret, without legitimate issue. Administration of his estate was granted in the Prerogative Court of Canterbury to his sister, Mrs. M'Neil, 12 July 1746, which occasioned a family dispute.
6. *Margaret*, baptized at Kilbirnie,[10] 4 May 1702; married to Neil M'Neil of Ugadale,[11] whom she appointed her attorney in the matter of administration of her brother Charles's estate 6 June 1746. She wrote letters to the Earl of Bute, preserved at Haigh Hall, mentioning her sons.
7. *Anne*, baptized at Kilbirnie 9 August 1706.[12] Died 22 August 1752 in Edinburgh. Her testament (dated 14 March 1747) was confirmed 14 November 1752.[13]
8. *Magdalen*, baptized at Kilbirnie 10 February 1708.[14]

II. PATRICK, second Viscount Garnock, was baptized at Kilbirnie 30 November 1697,[15] and was retoured heir to his

[1] Kilbirnie Reg. [2] See Epitaph in Crawfurd's *Peerage*, 164; and note in *Lives of the Lindsays*, ii. 193. [3] Kilbirnie Reg. [4] Edinburgh Com. Court. [5] Kilbirnie Reg. [6] *Ibid.* [7] Haigh Papers. [8] *Ibid.* [9] *Vide* Crawford Minutes, 407 *et seq.* [10] Kilbirnie Reg. [11] Crawford Minutes, 407 *et seq.* [12] Kilbirnie Reg. [13] Haigh Charter-chest. [14] Kilbirnie Reg. [15] *Ibid.*

father 11 October 1709.[1] He was in constant litigation respecting debts on the estate 1722-34. He died 24 May 1735, and was buried at Kilbirnie 30 May.[2] He married Mary, daughter of George Home of Kellie in Berwickshire, whose marriage-contract was dated 19 April 1720, recited in a disposition by her son George, dated in March and June 1744.[3] They had issue :—

1. John, Viscount Garnock.
2. George, Viscount Garnock, who succeeded as twenty-first Earl of Crawford.
3. *Margaret*, born 31 January 1721, died an infant.
4. *Janet*, baptized at Kilbirnie 5 September 1723.[4]
5. *Graham Christian*, married, 13 March 1747, at Duddingston, to Patrick Bogle of Hamilton Farm, where she died 18 June 1748.[5]

III. John, third Viscount Garnock, was born 6 July 1722. and died unmarried in Edinburgh 22 September 1739.[6] On 5 August 1735 William Maule of Kelly took out a summons against him respecting debt, and all the immediate relations alive or supposed to be alive were cited. A decreet was made 17 July 1736.[7]

IV. George, fourth Viscount Garnock, a lieutenant in Lord Drumlanrig's regiment, baptized at Kilbirnie 21 March 1729.[8] He was served heir to his father 6 June 1741, and presented a petition to Parliament by his guardian the Honourable Patrick Boyle for leave to sell part of his estates for payment of debt. An Act of Parliament for that purpose was passed in 1741.[9] Upon the death of John, twentieth Earl of Crawford, Earl of Lindsay, etc., the 'gallant Earl,' in 1749 he succeeded to the earldoms of Crawford and Lindsay. (*See title* Crawford.) The dignities of Garnock, etc., are now vested in the Earl of Lindsay. (*See title* Lindsay.)

Creation.—10 April 1703, Viscount of Mount Crawford, Lord Kilbirnie, Kingsburne and Drumry: 26 November 1703, Viscount Garnock, Lord Kilbirnie, etc.

[1] Crawford Minutes, 168. [2] Kilbirnie Reg. [3] Haigh Charter-chest. [4] Kilbirnie Reg. [5] Douglas's *Peerage*. [6] Edinburgh Com. Court. [7] Haigh Charter-chest. [8] Kilbirnie Reg. [9] Crawford Minutes, 478 *et seq.*

ARMS (from *Peers' Arms* MS., Lyon Office).—Quarterly: 1st and 4th, azure, three crosses pattée or, for *Barclay*; 2nd and 3rd, gules, a fess chequy argent and azure, for *Lindsay*; *en surtout* gules, a fess ermine, for *Crawford*.

CREST.—A stag's head erased proper; between the attires a cross pattée fitchée gules.

SUPPORTERS.—Dexter, a Highlander proper with a shield gules charged with a fess ermine in his exterior hand; sinister, a greyhound proper collared ermine.

MOTTOES.—*Hinc honor et salus. Sine labe nota.*

[W. A. L.]

NOTE.—It was stated in Wood's edition of Douglas's *Peerage of Scotland*, i. 392, on the authority of an Edinburgh newspaper, that John L. Crawfurd from Ireland was making up his title to the dignities of Crawford-Lindsay as great-grandson of James, third son of the first Viscount Garnock. Mr. John Lindsay-Crawfurd did in fact present his petition, which was referred to the House of Lords, whereupon there followed a prosecution for forgery in 1812. For full information respecting these proceedings reference is made to *Lives of the Lindsays*, ii. 252, and Dobie's Examination of the claim, published 1831.

Long afterwards, after 1831, Mr. J. L. Crawfurd issued a folio print which he called a 'Case in the House of Lords,' not in the usual form of a case, in which it is stated that a case was settled by 'Fred. Pollock' and 'William Scott.' A case in proper form was signed by Thomas H. Miller, probably in 1845. Mr. Lindsay-Crawfurd's claim turned on the identity of James Crawfurd, land steward at Castle Dawson, who died 1765, with the above James, third son of Viscount Garnock. To support this identity letters were produced between James at Castle Dawson and members of the Crawford family, which it would appear were forged. These letters and the evidence taken at the trial for forgery are printed in the 'Case,' and it is clear that long after his conviction and sentence the claimant continued to assert a claim, in the justice of which he had persuaded himself to believe. The fact, however, is that James, son of the Viscount, died in London, March 1744, unmarried. The sexton's note-book of St. Martin's contains the entry of his burial, but the parish register has been tampered with to conceal the fact of his death. *Vide* Earl of Balcarres's Case, 112.

It was with reference to this matter that an effort was made by the Earl of Balcarres to establish the validity as evidence of certain letters purporting to be written by Mrs. M'Neil. They were admitted *de bene esse* at the hearing of 22 June 1847 (Crawford Minutes, 409, etc.), and afterwards (459) a letter written by Mrs. M'Neil was admitted as a declaration of pedigree, and other documents directed to be withdrawn. If the claim had succeeded it would have vested in Mr. J. L. Crawfurd all the dignities of Crawford, Lindsay, and Garnock, and all the estates which devolved on the Earl of Glasgow as heir of line in 1833.

ABERCROMBY, LORD GLASFOORD

ALEXANDER ABERCROMBY, son and heir of the deceased Alexander Abercromby of Pitmeddan, had sasine of his paternal lands 26 August 1484.[1] He died before 2 May 1505, when his son

GEORGE ABERCROMBY was served heir to him.[2] He had a charter under the Great Seal 18 February 1512-13 of the lands of Pitmeddan and others which were erected into a barony.[3] He married, first, Christina Barclay; and secondly, before 29 October 1533, when he had with her a charter of the lands of Over and Nether Clune, co. Banff, Margaret Gordon.[4] She afterwards was married, secondly, contract 24 April 1553, to Alexander Cumming of Altyre.[5] By his first wife he had at least one son,

JAMES, who had a charter from his father, to himself and his wife, of the lands of Pitmeddan and others, the liferent being reserved, 13 July 1527.[6] He married, first, Marjory Hay; and secondly, about 9 July 1540, when previous to their marriage he granted her a charter of the lands of Petmaquhy and others in the regality of the Garioch,[7] Elizabeth, daughter of Gilbert Gray of Schives. By his first wife he had issue:—

[1] *Antiq. of Aberd. and Banff*, iii. 445. [2] *Ibid.*, 446. [3] *Reg. Mag. Sig.* [4] Confirmed 2 January 1533-34, *ibid.* [5] *Ibid.*, 8 April 1554. [6] Confirmed 23 July 1527, *ibid.* [7] Confirmed 19 July 1540, *ibid.*

1. *William*, who, as eldest son and heir-apparent of James Abercromby of Pitmeddan, got a charter of the lands of Westhall, co. Aberdeen, 14 May 1444.[1]
2. ALEXANDER, who succeeded to Pitmeddan.

ALEXANDER ABERCROMBY was under age on 19 April 1550, when he, as flar of Pitmeddan, got a royal charter of these lands to himself and his wife Elizabeth Leslie, having resigned them for re-infeftment in the King's hands with consent of his curators.[2] He had a remission under the Great Seal for his complicity in the Earl of Huntly's rebellion and the murders of the Earls of Lennox and Moray 15 April 1581.[3] He married Elizabeth, daughter of Alexander Leslie of Pitcaple, and by her had issue:—

1. ALEXANDER.
2. *John.* By a deed of 29 April 1582 his father sold him the lands of Pitmeddan, reserving his own liferent and that of his elder son Alexander, and providing that John should have no power to sell or alienate the lands, but that the heirs-male of Alexander, junior, could redeem the lands at any time by paying ten merks in the parish church of Oyne; while the father himself reserved power to sell or mortgage the land without John's consent.[4]

ALEXANDER, the elder son, ultimately got the lands of Pitmeddan, but was previously designated of Towie and of Galcors. As Alexander Abercromby of Towie, he had a charter on 17 April 1571 of the lands of Galcors, co. Banff.[5] He was dead before 9 December 1586-87 when his son Alexander got a charter of Pitmeddan on the resignation of his grandfather Alexander.[6]

ALEXANDER of Pitmeddan, who thus got the fee of the lands, is said to have been murdered at the moss of Coltstown 12 March 1593. He was certainly alive in September 1592, and died before July 1595.[7] He married Margaret, daughter of William Leslie of Balquhain, and had by her:—

1. *James*, ancestor of the Abercrombies of Birkenbog, of

[1] *Antiq. of Aberd. and Banff*, iii. 441. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] *Ibid.* [5] Confirmed 1 December 1591, *ibid.* [6] *Ibid.* [7] *P. C. Reg.*, v. 569-655.

whom Sir George William Abercromby, Bart., of Birkenbog, co. Banff, is the present representative.

2. *George*, mentioned along with his father in a bond of caution in September 1592.[1]
3. HECTOR.

HECTOR ABERCROMBY, the progenitor of Lord Glasfoord, had a royal charter of the lands of Westhalls, co. Aberdeen, 27 June 1590.[2] He had another from the Dean and Chapter of Aberdeen of the barony of Fetterneir, co. Aberdeen, which belonged to the Leslies of Balquhain, and had fallen to the Chapter by reason of nonpayment of the rent, 2 February 1628.[3] The property was afterwards redeemed 20 August 1690 by the Leslie family from Lord Glasfoord.[4] The name of the wife of Hector Abercromby is not known, but he is said to have had a son,[5]

ALEXANDER, who married Jean, daughter of John Seton of Newark.[6] They had issue:—

1. FRANCIS.
2. *John* of Affiorsque.[7]
3. *Patrick*, born at Forfar 1656, and took his degree as M.D. at St. Andrews 1685. After travelling on the Continent he returned home, became a Roman Catholic, and was appointed physician to James VII. After the Revolution he lived for some years abroad. Besides a translation of a French book on the Scottish wars of 1548-49 he wrote *The Martial Achievements of the Scottish Nation*, by which his name is chiefly remembered.

I. FRANCIS ABERCROMBY, the eldest son, born 1654, married Anne, *suo jure* Baroness Sempill (*see that title*), and was on 6 July 1685 created LORD GLASFOORD for the natural term of his life only.[8] By a charter of 16 May 1688 not only the estates but the title of Sempill were confirmed 'to the longest liver of them in liferent,' but after the death of his wife in 1695 he appears to have been known only as

[1] *P. C. Reg.*, v. 569. [2] *Reg. Mag. Sig.* [3] Confirmed 29 January 1631, *ibid.* [4] *Hist. Record of the Family of Leslie*, iii. 115. [5] Nisbet's *Heraldry*, App. 130. [6] *Ibid.* [7] *Ibid.* [8] *Reg. Mag. Sig.*, lib. lxx., No. 49.

Lord Glasfoord. He married, secondly,[1] 27 March 1699, Christabella, widow of Sir Giles Eyre, one of the Judges of the King's Bench. They were separated apparently within a few months, he being a prisoner for debt in the Fleet, where he died in November 1703, and was buried on the 23 of the same month at St. Bride's, Fleet Street.[2] His widow was buried at Whiteparish, Wilts, with her first husband. Her will was proved February 1710-11.

CREATION.—6 July 1685, Lord Glasfoord.

ARMS (recorded in Lyon Register).—Argent, a chevron engrailed gules between three boars' heads erased azure.

CREST.—A cross crosslet fitchée.

MOTTO.—*In cruce salus.*

[J. B. P.]

[1] Licence from Bishop of London, *Complete Peerage.* [2] One authority states that the lady eloped from her husband; another gives as the cause of separation his being a 'Scotch Papist.' Cf. *Complete Peerage* and other authorities there quoted.

Glasgow

BOYLE, EARL OF GLASGOW

THERE seems to be no doubt that the lands of Kelburne in Cunningham were held by ancestors of the Earls of Glasgow for many years before 1292, when the great fiefs of Largs and Cunningham, which came to John Baliol from Devorgilla his mother, became merged in the Crown of Scotland; but the records of their tenure have disappeared: and for long afterwards the succession to the lands can only be inferred from the occasional occurrence, in records and charters, of the name and designation of Boyle of Kelburne.

Sir George Mackenzie, who died in 1691, mentions as extant in his time a 'sasine of the lands of Kelburne given to Richard Boil, eldest son to —— Boil of Kelburn and Marjory Cumin his wyfe, daughter to —— Cumin of Rowallen, and this was in the reign of K. Al. 3,' (*i.e.* between 1249 and 1285-86).[1]

Sir William Mure of Rowallan, who wrote in or before 1657, mentions a charter of certain lands in the fee of Rowallan granted by Gilchrist Mor in favour of Avicia his daughter and the heirs of her body,[2] which was confirmed between 1358 and 1370, by Robert, Stewart of Scotland, Earl of Stratherne. The original dates from before the year 1300. A transumpt of the charter of confirmation

[1] Brit. Mus. Addl. MSS., 12624, fol. 34. [2] *House of Rowallane*, 30.

On 24 July 1417, John Boyle of Caleburne sat at Irvine on an assize composed of the best and most trusty men of the country, to adjudicate, in presence of Robert, Duke of Albany, the Governor, on opposing claims to certain lands.[1] On 20 July 1433, Patrick (or Sir Patrick) Boil of Kelburne witnessed a charter granted by Janet of Cairns, and dated at the Church of Largs.[2] On 11 October 1446, Robert Boyle of Calburn was witness to a sasine of the lands of Rysholm given by Robert Boyd, Lord of Kilmarnock and Baron of Dalry, superior, to John Boyle of Wamphray.[3] This Robert was possibly succeeded by a son of the same Christian name, seeing that

ROBERT BOYLE had sasine of the lands of Kelburne in 1456,[4] and paid two pairs of gilt spurs for duplication of his blench farm. The sale price of these was credited by the Sheriff of Ayr in his account of receipts from 3 July 1454 to 18 September 1456.[5] He may have had

A son, who died *v. p.*, leaving a son

WILLIAM BOYLE,[6] who had sasine of Kelburne in or before 1477.[7] He appears as witness to a sasine given to James, Lord Boyd, 25 October 1482.[8] William Boyle had sasine 13 July 1493, as heir to Robert Boyle his grandfather, of the office of Mare or Maor of fee (hereditary Sergeant or Coroner) within the bounds of the lordship of Largs, the burn of Polgare on the south and the Caleburne on the north; following on a Chancery precept issued on his retour as heir of his said grandfather.[9]

JOHN BOYLE of Kelburne had sasine, 28 October 1495, of Kelburne and pertinents as lawful heir of William Boyle his father, proceeding on precept from Chancery; holding in

[1] *Muniments of Irvine*, Ayr and Galloway Arch. Assoc., i. 19. [2] *Muniments of Ayr*, Ayr and Wigtown Arch. Assoc., 85. [3] *Maxwells of Pollok*, *loc. cit.* Instrument of this sasine is cited from the Kelburne Charter-chest by Riddell, and also in Robertson's *Ayrshire Families*, i. 129. [4] Index to Lib. Resp., *Exch. Rolls*, ix. 665. [5] *Exch. Rolls*, vi. 175, 6. [6] Or William may have been son of the second Robert, and grandson of the first—the Robert Boyle of Calburn who witnessed the sasine of Rysholm on 11 October 1446. [7] Lib. Resp., *Exch. Rolls*, ix. 678. [8] *Arch. and Hist. Collections, Ayr and Wigtown*, Ayr and Wigtown Arch. Assoc., iii. 141. [9] Riddell, citing *Cal. penes Comitem de Glasgow*; Robertson's *Ayrshire Families*, i. 129.

blench farm of the Crown on payment of a pair of spurs.[1] He had a charter from King James v. of the lands of South Ballochmartine in the Island of Cumbrae and shire of Bute, dated at Falkland 8 April 1536.[2] He granted the same lands to his son Robert 6 October 1554.[3] On the last day of February 1540-41 he had an exemption from personal military service on account of infirmity.[4] He died between 27 June and 14 August 1555.[5]

He seems to have been more than once married. His elder children were :—

1. PATRICK, eldest son, styled 'of Polruskane'; of him after.
2. *John*, second son of John Boyle of Kelburne, had, in conjunct fee with Katharine Wallace, his spouse, a Crown charter of feu-farm of the 5-merk lands of Ballikewin in the Island of Cumbrae and sheriffdom of Bute, and also of the office of Serjandrie of the said island; with remainder to the heirs-male of their bodies, whom failing, to the eldest heir-female without division; dated 8 April 1536.[6] On 14 April 1557 he had charter of feu-farm with his said spouse, dated at Paisley, of the glebe and kirklands of Largs, granted by John, Archbishop of St. Andrews and Abbot of Paisley.[7] He was alive 18 September 1583.[8]

   John Boyle married Katherine Wallace before 8 April 1536.[9] Crawfurd states that this lady (the wife of John Boyle, first of Bellikewin, 'lineal ancestor of Bellikewin the heir-male of the old house of Kelburne') was daughter of Wallace of Cairnhill, and widow of Pearstoun.[10] She was probably the Katharine Wallis who, with Robert Barclay of Pearstoun her spouse, was grantee in a charter dated 15 September 1518.[11] They had issue :—

   (1) *John*, designate as 'younger of Ballikewin' 29 September 1572[12] to 18 September 1583.[13] He succeeded his father, and died 20 August 1599.[14]

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[1] Riddell, quoting *Inv. penes Com. de Glasgow*; Robertson's *Ayrshire Families*, i. 129. [2] *Reg. Mag. Sig.* [3] *Vide* p. 189. [4] *Reg. Sec. Sig.*, xv. 10. [5] Instruments of Sasine of those dates at Kelburne. [6] *Reg. Mag. Sig.* [7] Original at Kelburne. [8] Instrument of Sasine, *ibid.* [9] *Reg. Mag. Sig.* [10] Ms. *Baronage*, 57. [11] Writs of the family of Barclay of Perceton. [12] *Reg. Mag. Sig.*, 20 March 1578-79. [13] Instrument of Sasine at Kelburne. [14] Edinburgh Tests., 30 November 1601.

He married, first, Jonet Cunningham, daughter of Alexander Cunningham of Toir, by Margaret Barclay;[1] and secondly, before 27 February 1593, Marjorie (or Marion) Fraser, relict of John Montgomerie of Flatt.[2] She seems to have been of the family of Fraser of Knock. She died in the year 1601.[3] He had issue by both wives. The eldest son and his heirs held Ballikewin until 31 March 1721, when the lands were disponed to John, Lord Boyle.[4]

(2) *David*, second son of the first marriage of John Boyle first of Ballikewin, had from Alexander Montgomery of Figgidoch, charter of the 26s. 8d. lands of Figgidoch in the Island of Greater Cumbrae, with the Manor Place, etc., already occupied by him, dated 29 September 1572, and confirmed 20 March 1578-79.[5] A Crown charter of feu-farm of the same lands (*plus* another half-merk land), dated 20 July 1595, was granted to him and the heirs-male of his body, whom failing, to his nearest and lawful heirs-male bearing the name and arms of Boyle.[6] He died in the month of June 1614.[7]

He married, first, before 12 November 1569, Katharine Boyd,[8] said to have been a daughter of James Boyd, son to Lord Boyd,[9] and by her had issue:—

i. *Robert*, who purchased the lands of Figgidoch from Archibald Boyle, his half-brother,[10] and had sasine thereof 27 January 1616.[11] He died in the month of September 1626,[12] leaving issue by his wife Margaret Montgomerie (probably daughter of Hugh Montgomerie of Portry),[13] who was alive 24 July 1622.[14]

ii. *James*, son of David Boyle of Figgidoch, first appears as substitute to his brother Robert i. in a charter of Portry granted in favour of the latter by Hugh Montgomerie of Portry on 20 April 1583.[15] He lived at Largs, and was a merchant and shipowner. On 14 January 1617 he had, with Margaret Crawfurd, his spouse, Crown charter of the 2-merk lands of Halkishirst, near Largs,[16] proceeding on the resignation, made on the same date, of John Erskine of Halkishirst, his spouse and son.[17] He was alive 3 May 1651.[18]

He married, first, contract dated at Glasgow 31 December 1604, Margaret Crawfurd, daughter to the

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[1] *Acts and Decreets*, clxii. 201, 19 February 1595; *Part. Reg. Sas., Ayr*, i. 31, 4 October 1617; *P. C. Reg.*, v. 626, 24 June 1594. [2] *Reg. Mag. Sig.*, 4 May 1597; *Reg. Sec. Sig.*, lxix. f. 192. [3] Edin. Tests., 20 June 1601. [4] *Deeds* (Mack.), clxxvii., 11 January 1751. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] *Reg. Retours in Chancery*, vi. 68. [8] Glasgow Protocols, vi. 59. [9] Crawfurd's MS. *Baronage*, 57. Reg. of Arms of Peers, Lyon Office, 88. The Christian names of both parties are incorrectly given at the first of these references, and the lady's Christian name at the second. [10] *Vide* p. 189; *Reg. of Retours*, vi. 68. [11] Protocol Book of Donald M'Gilchrist, notary in Rothesay, 1605-1636, fol. 55. [12] *Reg. Retours in Chancery*, xix. 219. [13] Crawfurd's MS. *Baronage*, 57. [14] *Part. Reg. Sas., Argyll*, etc., i. 221. [15] Original at Kelburne. [16] *Reg. Mag. Sig.* [17] Orig. Inst. at Kelburne. [18] *Deeds*, Bailie Court of Cunningham, i.

then deceased John Crawfurd, younger of Bedland. On 1 January 1605, David Boyle of Figgidoch, his father, who was a party to the contract, gave sasine *propriis manibus* to his son and future daughter-in-law, in implement of some of its provisions, of certain lands appertaining to him in the parish of Govane.[1] The issue of this marriage was

(i) *David*, eldest son, who, in 1635, married his kinswoman Grizel Boyle, heiress of Kelburne, and continued that line. Of him after.

(ii) *James*, merchant in Glasgow.[2]

(iii) *Janet*, who was married to James Stewart, younger, merchant and burgess of Glasgow, and had issue.[3] She died in the year 1641; her husband survived her.[4]

(iv) *Margaret*, lawful daughter to James Boyle of Halkishirst, who was married, contract dated at the Spittle Flat of Fairlie 16 December 1637, to Robert Blakburne, lawful son of David Blakburne in Fairlie,[5] and had issue.

James Boyle of Halkishirst married, secondly, contract dated at the Kelburne Place 22 August 1622, tocher £1000, Jean Barclay, only child of the then deceased Mr. Gavin Barclay, brother to William Barclay of Perceton,[6] and burgess of Irvine.[7] This marriage was dissolved in the beginning of the year 1632;[8] the husband had been 'absent from the country in his trade for two and a half years or thereby,' before 8 July 1631.[9]

iii. *Margaret*, who was married, contract dated at the Kirktown of Largs, 5 November 1591, tocher 450 merks, to John M'Gibboun, son of Duncan M'Gibboun in Kelburnefoot.[10]

David married, secondly, Margaret Crawfurd, lawful daughter of Patrick Crawfurd of Cartsburn, parish Innerkip,[11] and relict of John Park of Gilbertfield. She was styled his future spouse 17 May 1583.[12] He had issue by her two sons, *Archibald* and *John*, and two daughters.

3. *Robert*, who had from John Boyle of Kelburne, his father, a charter of sale of the 5-merk lands of South Ballochmartine in the island of Greater Cumbrae, with remainder to the heirs-male of his body,

[1] Inst. of Sas. at Kelburne. A John Boyle in Meikle Govane appears thirty years later (*Reg. of Deeds*, ccccxciv., 4 and 21 July 1636). [2] *Deeds* (Scott), ccccxl., 8 February 1631. [3] *Deeds*, Com. of Glasgow, 3 April 1650. [4] Glasgow Tests., 16 February 1643. [5] *Deeds*, Bailie Court of Cunningham, i., 28 July 1642. Margaret may possibly have been born of the second marriage. [6] *Deeds* (Gibson), ccccxlix., 1 February 1632. [7] *Acts and Decreets*, cccci. 140, 12 December 1626. [8] *Ibid.*, ccccviii. 385, 18 February 1632; Diet Bk. Comot. Court of Edin., 1631-32. [9] *Deeds*, ccccxlii., 4 August 1631. [10] *Deeds*, cxcv., 13 June 1612. [11] Glasgow Tests., 17 March 1606. [12] Inst. of Sas. given by David Boyle of Figgidoch, at Kelburne.

whom failing, to the heirs whatsoever of the granter, and reserving liferent; dated 6 October 1554,[1] and confirmed 8 February 1555-56.[2]

The arms of Boyle of Ballochmartine are given in Pont's MS., which was compiled in and after the year 1624, as 'three horns of a hart,' the paternal coat, 'with a mullet for difference.'[3] As a mullet was a usual mark of cadency for a third son in Scotland as elsewhere,[4] it seems a legitimate inference that Robert came third in the family.

He died in the year 1572.[5] His son and heir,

John, had sasine, 15 June 1574, of the 5-merk lands of Meikle Ballochmartine, proceeding on a precept from Chancery dated 8 June, which followed on retour; the lands having been two years in non-entry.[6] On 20 July 1595, as kindly tenant of South Ballochmartine, he had charter of these lands in feu-farm, with remainder to the heirs-male of his body, whom failing, to John Boyle of Kelburne and his heirs-male whatsoever bearing the name and arms of Boyle.[7] He died in the year 1635.[8]

He married Marion Crawfurd,[9] with issue. His grandson sold South Ballochmartine to David Boyle, flar of Kelburne, on 30 May 1649; charter confirmed 9 August 1649.[10]

4. *William*, styled 'in Dumbertaine,' who had sasine, 13 August 1543, of six merks' worth of the lands of Braidshaw, in the parish of Dalry, to be held of his father and succeeding superiors in free blench. He resigned those lands 25 May 1549 in favour of Elizabeth Crawfurd, daughter and heir of the then deceased John Crawfurd of Giffordland (probably his niece).[11] He appears to have acted as tutor to John Boyle of Polruskane, his nephew, and to have married and left issue a son and a daughter.
5. *John*, of Dalgarnock.[12]
6. *Archibald*, who was concerned in the slaughter of Sir Neil Montgomerie of Lainshaw in the month of June 1547.[13] He probably became kindly tenant of Rysholm,

[1] Original at Kelburne. [2] *Reg. Mag. Sig.* [3] Copy at Lyon Office. [4] Seton's *Law and Practice of Heraldry in Scotland*, 87. [5] Inst. of Sas., dated 15 June 1574, at Kelburne. [6] *Ibid.* [7] *Reg. Mag. Sig.* [8] *Reg. Retours in Chancery*, xxxvii. 184. [9] Charter at Kelburne, dated 11 February 1606; Protocol Book of Donald M'Gilchrist, 9 November 1612. [10] *Reg. Mag. Sig.* [11] Writs at Kelburne. [12] *Acts and Decreets*, xxiii. 275, 14 March 1561-62. [13] Contract dated 10 February 1560-61, Boyd Papers, Kilmarnock, printed in *Memorials of the Montgomeries*, ii. 155.

and had, with Robert, Lord Boyd, and others, a remission from King James VI., dated 8 September 1571, for having opposed his authority at Langside, etc.[1]

7. *Elizabeth* is said to have been a daughter of John Boyle of Kelburne, and to have been married to Robert Cunningham, second son, and eventually heir, of Robert Cunningham of Auchinharvie. He succeeded his brother Edward, who was slain by Nigel Montgomerie, son of Hugh, Earl of Eglinton, before 13 March 1523.[2]
8. *Margaret*, first wife of John Crawfurd of Giffordland (who was killed at the battle of Pinkie 10 September 1547), is also given as a daughter of John Boyle.[3]

John Boyle of Kelburne married, lastly, Agnes Ross,[4] who survived him.[5] By her[6] he had:—

9. *John.*
10. *Andrew.*
11. *Margaret.*
12. *Elizabeth.*
13. *Janet*, who possibly was married to James Jamieson of Halie Jamieson, near Largs, and left issue.[7]
14. *Katharine.*

Patrick Boyle (of Polruskane), son and heir-apparent of John Boyle of Kelburne, had a charter of sale, dated 21 September 1542, granted by his kinsman, Archibald Boyle of Rysholm, of the 4-merk land of the Mains of Rysholm.[8] He died *v. p.* His name disappears from record about 1547, and he may perhaps have been killed at the battle of Pinkie. He was summoned to appear before the Lords of Council 12 March 1548, as were also John Boyle his son and apparent heir, and others, including Mungo Mure of Rowallan;[9] but the latter certainly fell at Pinkie.[10] Patrick Boyle's son,

John Boyle, after the death of his father, and before that of his grandfather, was styled 'of Polruskane.'[11] On

[1] Boyd Papers, *Abbotsford Misc.*, i. 29. [2] *Reg. Mag. Sig.*, 27 June 1528. [3] Robertson's *Ayrshire Families*, i. 213. [4] *Reg. Mag. Sig.*, 8 February 1555-56. [5] *Acts and Decreets*, xxiii. 275, 14 March 1561-62. [6] *Ibid.* [7] *Sec. Reg. Ayr*, iv. 110, 12 April 1608. [8] Original at Kelburne. [9] *Acta Dom. Conc. et Sess.*, xxv. 147B. [10] Lib. Resp., *Exch. Rolls*, xviii. 433. [11] *E.g. Acts and Decreets*, xi. 53, 6 April 1555.

28 April 1549 John Boyle of Kelburne granted the lands of Kelburne to John Boyle, his grandson and apparent heir, by a charter which was confirmed 29 May 1549.[1] On 9 May 1554 John Boyle, grandson and heir-apparent of John Boyle of Kelburne, had sasine, as undoubted and nearest heir of the deceased Patrick Boyle, his father, of the 4-merk land of the Mains of Rysholm.[2] He died before 26 February 1559-60.[3]

He married Agnes Fraser, who survived him, and was married, secondly, before 14 March 1561-62, to Patrick Crawfurd of Auchinames.[4] She is said to have been daughter of John Fraser of Knock by Margaret, only child and heir of Sir John Stuart of Glanderston.[5] She died 6 January 1595.[6] By her John Boyle of Kelburne had:—

1. JOHN, who succeeded; of him after.
2. *Thomas*, who became a notary[7] and a burgess of Irvine, and was afterwards tutor of Galston.[8] He died in the month of August 1614.[9] He married Janet Barclay (styled Lady Galston), relict of William Stewart, younger of Galston,[10] and by her[11] had issue.
3. *Margaret*, who was married to John Cunningham of Caddell, son of John Cunningham of Glengarnock.[12]

JOHN BOYLE of Kelburne was of lawful age when he succeeded his father (before 26 February 1559-60). On 1 June 1560 he had sasine of the lands of Kelburne, etc., proceeding on precept of clare constat from Chancery in his favour as heir of his father.[13] On 15 July 1583 he was served heir to his great-grandfather (John Boyle) in the office of Maor of fee within the bounds of the lordship of Largs, etc.[14] He was a most zealous loyalist in the service of Queen Mary during the civil wars.[15] On 21 November

[1] *Reg. Mag. Sig.* [2] Orig. Instrument at Kelburne. [3] Crown Letters narrated in Prec. of Cl. Const. from Chancery, contained in Inst. of Sas. at Kelburne, dated 1 June 1560. [4] *Acts and Decreets*, xxiii. 275, 14 March 1561-62; Edin. Tests., 5 July 1596. [5] Robertson's *Ayrshire Families*, i. 352. [6] Edin. Tests., *loc. cit.* [7] *Ibid.*; charter by Sir Robert Fairlie, at Kelburne, dated 10 June 1608. [8] *Deeds* (Scott), clxxx. 27 February 1611. [9] Glasgow Tests., 2 May 1616. [10] *Deeds*, clix. 154; *Gen. Reg. of Inhib.*, 1st Ser., v. 353. [11] Test. *supra cit.* [12] Edin. Tests., 5 July 1596; Crawfurd's *Peerage*, 171; Robertson's *Ayrshire Families*, i. 130, 286; *Reg. Mag. Sig.*, 8 March 1574-75. [13] Inst. of Sas. at Kelburne; Lib. Resp., *Exch. Rolls*, xix. 455. [14] *Retours*, Inq. Spec. Ayr [723]. [15] Crawfurd's *Peerage*, 171.

1577 he seems to have executed a bond of man-rent in favour of Robert, Lord Boyd, under the style of John Boyle of Rysholm, whereby he bound himself, with his household, tenants, and friends, etc., to ride with the said noble lord.[1] He executed a disposition and settlement by way of contract with John Boyle, his eldest son and apparent heir, dated 31 October 1610,[2] and died on 1 August 1611.[3]

He married Marion Crawfurd, second daughter of Hugh Crawfurd of Kilbirnie. Her mother was Isobel Barclay,[4] daughter of David Barclay of Ladyland,[5] second wife of the said Hugh. Marion Crawfurd died in the month of October 1596.[6] John Boyle had by her:[7]—

1. JOHN, who succeeded; of him after.
2. *Robert*, who was educated at the University of Glasgow and laureated in 1604.[8] He settled in Ireland, and was at Carrickmacross on 22 May 1665. He married and had an only child:—

   (1) *Marie*, who had been married, before that date, to George Makullo.[9]

3. *James*, who seems to have been educated at the University of Glasgow,[10] became a writer in Edinburgh,[11] and was Procurator-Fiscal of the Commissariot of Glasgow from the year 1623 till his death,[12] and Chamberlain of the barony of Glasgow.[13] He died between 12 March and 13 June 1639.[14] He married Margaret Smyth.[15]
4. *William*,[16] who on 30 August 1632 undertook to raise a company of 100 soldiers and transport them to Melville, in Spruisland, for service under himself as captain in the regiment commanded by Sir George Cunningham, Knight, in the army of Gustavus Adolphus.[17] He

[1] Boyd Papers, *Abbotsford Misc.*, i. 43. [2] *Deeds* (Scott), clxxvii. 239, 13 November 1610. [3] *Acts and Decreets*, cccxxii. 43, 20 February 1618. [4] Edin. Tests., 15 June 1590. [5] Laurus Crawfurdiana, by George Crawfurd, MS. Adv. Lib.; Robertson's *Ayrshire Families*, i. 232. [6] Edin. Tests., 2 June 1601. [7] *Ibid.* [8] *Munimenta Alme Univ. Glasg.*, iii. 9, 64. [9] Correspondence at Kelburne. [10] *Mun. Al. Univ. Glasg.*, iii. 65. [11] *Deeds*, cciii., 10 December 1612; ccxcv., 28 June 1620. [12] Glasgow Comot. Records; *Acts and Decreets*, ccclxxii. 170, 27 March 1623, and ccccxix. 170, 14 January 1629. [13] Glasgow Tests., 6 September 1633. [14] *Decreets*, Comot. of Glasgow, xiii. [15] *Deeds*, Comot. of Glasgow, xiii., 21 September 1633. [16] *Deeds* (Scott), clxxvii. 239, 13 November 1610. [17] *Deeds* (Hay), cccclxviii., 23 November 1633; *P. C. Reg.*, 2nd Series, iii. 208.

seems subsequently to have lived at Kelburnefoot; and to have purchased in 1638 from his kinsman, William Boyle of Ballikewin, the glebe and kirklands of Largs, commonly called Downiescroft,[1] which were afterwards acquired by David Boyle of Kelburne.[2]

He married, first, Christian Power, daughter of Hew Power, merchant,[3] and secondly, Elizabeth Maxwell, by whom he had issue.

5. *Jean*, married, before 24 May 1592, to William Barclay of Perceton,[4] who died in the month of August 1628.[5] She died in the month of July 1631.[6]
6. *Marion*, married, first, before 31 July 1599,[7] to Mr. Matthew Ross of Hayning Ross, par. Riccarton, who died in the month of October 1617.[8] She was married, secondly, as his third wife,[9] contract dated 1 September 1620, and postnuptial contract, passed with consent of John Boyle of Kelburne, her brother, dated 2 November 1626, to the Most Reverend James Law, Archbishop of Glasgow,[10] by whom she had no issue.[11] He died 13th October 1632. She erected a monument to his memory in the Lady Chapel of St. Mungo's Cathedral at Glasgow, where he was buried.[12] She died in the month of November 1636.[13]
7. *Isobell*, who was married, contract dated at Paisley 1 October 1606, to Alexander Bruce, eldest son of John Bruce of Auchinbowie, co. Stirling.[14]
8. *Margaret*, who was married, contract dated at the Canongate and Kelburne 30 May and 18 June 1613, tocher 4500 merks, to Mr. William Hamilton of Wadderhill, par. Crombie, co. Fife, son of John Hamilton of Blair.[15] On 23 September 1643 he is

[1] Charter of alienation, dated 14 September 1637 and 12 April 1638, at Kelburne; *Deeds* (Mack.), DXIV., 16 August 1638. [2] Charter dated 10 October 1653, at Kelburne. [3] *Part. Reg. Sas., Ayr*, i. 231, 27 August 1618. [4] Proc. of Resig., dated 24 May 1592, at Kelburne; *Reg. Sec. Sig.*, lxiv. 35, 19 June 1592. [5] Glasgow Tests., 21 November 1628. [6] *Ibid.*, 9 April 1632. [7] Edin. Tests., 2 June 1601. [8] Glasgow Tests., 17 April 1618. [9] *Dict. Nat. Biography*. [10] *Deeds*, ccccIxxxiv., 5 March 1635. [11] Crawfurd's MS. *Baronage*, 307. [12] Eyre Todd's *Book of Glasgow Cathedral*, 193, 416, 417. [13] Glasgow Tests., 8 June 1637. [14] *Deeds* (Scott), cxxxviii., 25 November 1607. [15] Acquittances by Mr. William Hamilton, dated 20 September 1613 and 8 September 1614, and charter granted by him on 17 April 1619, at Kelburne.

designate 'late of Loughmuck.' His spouse was then alive.[1] Loughmuck was in co. Down.[2]

9. *Agnes*, who was married to her kinsman John Boyle, eldest lawful son of John Boyle of South Ballochmartine; she was his future spouse 11 February 1606.[3] She died between 30 May and 9 August 1649.[4]

10. *Elizabeth*, who is mentioned with the other younger children in her mother's testament,[5] was married to Robert Sempill, burgess of Renfrew, styled 'of Mylnbank,'[6] said to have been a relative of Robert, Lord Sempill.[7]

All six daughters had issue.[8]

JOHN BOYLE of Kelburne, born about 1585, was admitted a student of the University of Glasgow 10 March 1601.[9] He was 'a learned gentleman, especially in the law';[10] and Robert, sixth Lord Boyd, writing to Thomas, Earl of Melrose, on 30 May 1627, says of him, 'he is thoght to be ane verie wyse man.'[11] On 23 May 1618 he had sasine of Rysholm, etc., as heir to his father, proceeding on precept of clare constat from the superior.[12] On 25 October 1626 he was appointed member of a commission for searching for papists, etc.[13] In or before 1628 he was appointed, by the heritors of the sheriffdom of Ayr, one of two commissioners for attending the commission concerning the royal edict of revocation of church lands.[14] On 9 July 1628 he had a grant of the office of Commissary of Glasgow,[15] but he had acted as judge of the Commissary Court there from October 1625, and he continued to discharge the duties of the office until July 1638.[16] M'Ure says 'he was forced to dispone the office to those that had the power in their hands after the troubles began, because he was very firm and

[1] *Deeds*, Comot. of Glasgow, xvi., Discharges, 13 June 1645. [2] Anderson's *House of Hamilton*, 235. [3] Charter of that date granted by John Boyle of South Ballochmartine, at Kelburne. [4] *Reg. Mag. Sig.*, 9 August 1649. [5] Edin. Tests., 2 June 1601. [6] *Acts and Decreets*, cccclxxiii., 349, 31 July 1634; Crawfurd's *Peerage*, 172. [7] Wood's Douglas's *Peerage*, ii. 494. [8] Crawfurd's *Peerage*, *loc. cit.* [9] *Mun. Al. Univ. Glasg.*, iii. 64. [10] M'Ure's *City of Glasgow*, 86. [11] *Memorials of the Earls of Haddington*, ii. 154-155. [12] *Gen. Reg. Sas.*, ii. 22, 13 July 1618. [13] *Reg. Mag. Sig.* [14] *Reg. of Deeds*, DVI., 22 June 1637. [15] Original at Kelburne. [16] Glasgow Comot. Records.

an inflexible royalist.'[1] He was elected Rector of the University of Glasgow 1 March 1630, and again 1 March 1637.[2] On 12 October 1630 he was nominated member of an important commission for the revision of the law of Scotland.[3] On 5 August 1631 he had from William, Viscount of Stirling, a disposition of sale and resignation of the superiority of the lands of Kelburne, Halyblair, Halkishirst, and Kirkland, and of the barony of the burgh of Largs, etc.[4] In 1633 he was appointed a commissioner for the valuation of teinds;[5] and on 21 October 1634, as Commissary of Glasgow, member of a commission for the suppression of papistical practices.[6] He remained a staunch and zealous royalist till his death,[7] in the month of May 1650.[8]

He married, contract dated at Glasgow, 9 March 1611, Agnes Maxwell, only surviving daughter of the then deceased Sir John Maxwell of Nether Pollok, Knight; tocher 9000 merks. The contract passed with consent of Sir John Maxwell of Nether Pollok, Knight, her brother.[9] It was expressly arranged before the marriage that if her brother should predecease her without issue, and Agnes should therefore be entitled to succeed him in any of his lands, she was to renounce them, with consent of her husband, in favour of Sir John's heir-male. In accordance with this agreement she and her only child nearly forty years afterwards consented to the disposition of the estate of Pollok by Sir John Maxwell, in favour of his heir-male.[10] The lands of Polruskane and Maldislands were settled in liferent upon Agnes Maxwell by the bridegroom; and when, with her consent, these lands were sold in 1632, other lands were substituted for them.[11] Lady Gertrude Cochrane,[12] as representing Agnes Maxwell, is now heir of line of the original family of Maxwell of Pollok.[13] Agnes Maxwell was alive 22 March 1665.[14]

John Boyle of Kelburne had by her an only child,

[1] *Loc. cit.* [2] *Mun. Al. Univ. Glasg.*, iii. 320, 322. [3] *Reg. Mag. Sig.* [4] *Reg. of Deeds*, ccccIxxxix., 8 December 1635. The Viscount had right to the barony under a Crown charter dated 11 April 1629 (*Reg. Mag. Sig.*), but it does not appear why the lands were included in the disposition. [5] *Acta Parl. Scot.*, v. 37. [6] *Reg. Mag. Sig.* [7] Crawfurd's *Peerage*, 172. [8] *Reg. of Retours in Chancery*, xxi. 187, 7 September 1653. [9] *Cart. of Pollok Maxwell*, 363. [10] *Maxwells of Pollok*, i. 42. [11] *Part. Reg. Sas., Ayr*, vi. 12, 28 April 1633. [12] *Vide* p. 219. [13] Crawfurd's *Renfrew* continued by Robertson, 282. [14] *Gen. Reg. Sas.*, xi. 365, 27 March 1655.

GRIZEL BOYLE, who was married, contract dated at Edinburgh 5 August 1635, to her kinsman David Boyle, eldest son of James Boyle of Halkishirst, mentioned above (p. 189).[1] She was served heir of John Boyle of Kelburne, her father, in Rysholm, etc., 7 September 1653,[2] and was alive in 1685.[3]

David Boyle had sasine of Halkishirst from his father, and of Kelburne from John Boyle of Kelburne, also of Rysholm, etc., in conjunct fee with Grizel his future spouse, 22 August 1635.[4] He acquired the lands of South Ballochmartine in 1649, Figgidoch in 1651, Downiescroft in 1653,[5] and the lands and barony of Fairlie in 1657,[6] besides other lands. He was Commissioner of Supply for Ayrshire and Bute in 1656 and 1659, Commissioner of Excise for Ayrshire, and a Justice of Peace in 1663.[7] He died in the year 1672.[8] He had by Grizel Boyle:—

1. JOHN, who succeeded; of him after.
2. *James*, a merchant, burgess, and several times Provost of Irvine.[9] On 28 July 1665, as nominee of Mr. Robert Barclay, he had disposition of the estate of Montgomerieston in the parish of Kirkmichael, co. Ayr,[10] and on 4 March 1668 he had charter of the same lands (wherein he is designate second lawful son of David Boyle of Kelburne), in conjunct fee with his future spouse.[11] He had commissions, dated 19 July 1681 and 18 March 1685, to represent the burgh of Irvine in the Parliament of Scotland.[12] He was Commissioner of Supply for Ayrshire in 1690.[13] He died before 28 February 1710.[14]

   He married, contract dated at Irvine 27 February 1668, Janet Barclay, who was the youngest lawful daughter of Mr. Robert Barclay, late Provost of Irvine; and with her he got 20,000 merks, the estate

[1] Orig. cont. at Kelburne; *Deeds* (Gibson), DXXXVI. 229, 13 May 1642. [2] *Ret., Inq. Spec. Ayr* [452]. [3] Bond regd. 17 November 1686, *Deeds, Sheriff Court of Ayr.* [4] *Part. Reg. Sas., Ayr*, vi. 384, 388, and 400. [5] *Vide supra*, pp. 189, 190, and 194; orig. char. and Inst. of Sas. of Figgidoch are in the Kelburne Charter-chest. [6] *Gen. Reg. Sas.*, xiv. 223, 17 February 1658; *Part. Reg. Sas., Ayr*, iii. 294, 8 January 1658. [7] *Acta Parl. Scot.*, vi. vii. [8] Crawfurd's *Peerage*, 172. [9] *Mun. of Irvine, supra cit.* [10] *Part. Reg. Sas., Ayr*, ii. 199, 28 July 1668; Cont. of Marriage, *infra cit.* [11] *Reg. Sec. Sig.*, iv. 397. [12] *Parly. Return of Members of Parliament*, 1 March 1878, pt. ii. 584, 586. [13] *Acta Parl. Scot.*, ix. 140A. [14] Retour of his son, *infra cit.*

of Montgomerieston, and property in Irvine.[1] In consequence he took for a time the name of Barclay. He left by his wife one son and two daughters.

3. *Patrick*, styled 'of Smiddieshaw' *jure uxoris*,[2] was a burgess of Irvine, and bailie of the burgh in 1687;[3] he is also styled collector of Irvine.[4] He died between 8 March 1716[5] and 31 January 1721.[6]

   He married, before 16 December 1712, Margaret Crawfurd, only lawful daughter and heir of William Crawfurd of Smiddieshaw, par. Dalgain (Sorn),[7] by whom he had an only daughter, *Margaret*, who died, unmarried, before 13 February 1740.[8]

4. *Robert*, son lawful to David Boyle of Kelburne, was bound prentice to Charles Gray, merchant in Glasgow, in the year 1657.[9] He acted as attorney at a sasine 24 March 1663.[10]

5. *Thomas*, brother-german to John Boyle of Kelburne,[11] appears to have settled in Ireland, and to have been styled 'of Tullochdonell, co. Louth,' on 19 December 1680.[12]

6. *Mary*, eldest daughter,[13] was married, contract dated 15 April 1670,[14] and confirmed 4 June 1670,[15] to William Wallace of Shewalton, and had issue.

7. *Grizel*, who was alive and unmarried 15 October 1673.[16]

JOHN BOYLE, eldest son and apparent heir to David Boyle of Kelburne, was educated at the University of Glasgow.[17] He, with his future spouse, had sasine of Kelburne 22 March 1665, proceeding on contract of marriage; the liferent of his parents being reserved.[18] He had commission

[1] Orig. cont. at Kelburne. [2] *Gen. Reg. Sas.*, xxxiv. 163; *Reg. of Tailzies*, v. 96, No. 139, 30 July 1715. [3] *Part. Reg. Sas., Ayr*, vii. 168; *Mun. of Irvine, etc.*, ii. 312. [4] *Deeds* (Dalrymple), cxiv., 2 February 1721. [5] *Deeds, Sheriff Court of Ayr*, 18 July 1716. [6] *Deeds* (Dalrymple), cxiv., 2 February 1721. [7] *Part. Reg. Sas., Ayr*, vii. 295, 296, 16 January 1713. [8] *Deeds* (Mack.), clxxvii., 16 April 1751. [9] Writ at Kelburne. [10] *Gen. Reg. Sas.*, v. 294, 30 March 1663. [11] *Ibid.*, xxxiv. 163, 5 October 1674. [12] Indenture at Kelburne. [13] *Part. Reg. Sas., Ayr*, ii. 413, 16 May 1670. [14] Orig. cont. in Shewalton Charter-chest; Robertson's *Ayrshire Families*, iii. 75, 76. [15] *Reg. Sec. Sig.*, v. 294. In this charter of confirmation the lady's name is erroneously given as Margaret. [16] Writs at Kelburne. [17] Ms. at Kelburne; *Mun. Alm. Univ. Glasg.*, iii. 105. [18] *Gen. Reg. Sas.*, xi. 365, 27 March 1665.

19 January 1671 to act as Sheriff of Bute during the minority of Sir James Stewart, the hereditary Sheriff;[1] and on 7 June 1678, 28 June 1681, and 14 March 1685, he received commissions to represent Buteshire in the Convention of Estates and Parliament of Scotland.[2] He was Commissioner of Supply for Ayrshire in 1678 and 1685.[3] On 2 March 1680 he had commission from the Treasury to supervise the levy of customs duties between Ayr and Glasgow.[4] He acquired the lands of Hareshawmuir in 1681.[5] On 28 February 1683 he was appointed Crown Commissioner for the forfeited estates of Argyll and Largie,[6] and held the post until his death.[7] On 28 July 1683 he was appointed head of a commission to take evidence against rebels, etc.[8] On 29 August 1684 he had commission to administer the test to custom-house officials.[9] In 1685 he was appointed Deputy Lieutenant to John, Marquis of Atholl, Lord-Lieutenant of Argyll and Tarbet,[10] and on 20 May 1685 he was nominated Joint Commissary-General of the King's army assembling under George, Earl of Dumbarton, for the suppression of Argyll's rebellion.[11] He was appointed a Lord of the Articles in 1685.[12] He is said to have died October 1685.[13]

He married, first, contract dated 11 and 22 March 1665, Marion Steuart, eldest daughter of Sir Walter Steuart of Allanton, Knight.[14] By her,[15] who died shortly before 15 January 1672,[16] he had:—

1. David, who succeeded; afterwards first Earl of Glasgow; of him after.
2. *John*,[17] who became a surgeon. He was alive 20 May 1693,[18] and appears to have been dead before 2 July 1715.[19]

[1] *Acta Privy Council*, 19 January 1671, fol. 445. [2] *Return, supra cit.*, pt. ii. 582, 584, 586. [3] *Acta Parl. Scot.*, viii. [4] *Treas. Sederunt Bks.*, iii.; Com. dated 29 August 1684, at Kelburne. [5] *Reg. Sec. Sig.*, ii. 529. [6] *Treas. Sederunt Bks.*, iii. [7] *Ibid.*, viii. 184, 31 December 1694. [8] *Acta, Privy Council*, 1682-85. [9] Orig. at Kelburne. [10] *Deeds*, lix., 16 December 1686. [11] *Treas. Sederunt Bks.*, iv. [12] *Acta Parl. Scot.*, viii. 457B. [13] *Reg. Ret. in Chancery*, xxxix. 714, 25 February 1686; Crawfurd's *Peerage*, 172. [14] Ch. of Conf. dated 23 June 1665, *Reg. Sec. Sig.*, iii. 35; Ditto of 13 January 1671, at Kelburne; *Reg. Mag. Sig.*, lib. lxii. No. 277, fol. 118. [15] *Reg. Mag. Sig.*, lib. lxix., No. 165, fol. 75B. [16] Correspondence at Kelburne. [17] Gt. Seal Ch. of Conf. dated 7 March 1684 at Kelburne. [18] Will of his brother Walter at Kelburne. [19] *Reg. of Tailzies*, v. 96, No. 139.

3. *Walter*,[1] son lawful to John Boyle of Kelburne, entered prentice for five years to Edward Burd, skipper, 13 August 1684,[2] and subsequently joined the Royal Navy. While serving on board H.M.S. *Sussex* he made a will, dated 20 May 1693, which appears never to have been proved.[3] He probably died shortly afterwards.
4. *Mr. William*, who became a writer in Edinburgh.[4] He was appointed one of the Commissioners of H.M.'s Customs in North Britain 5 June 1707, and again 18 July 1709;[5] and one of the Salt Commissioners for Scotland 9 April 1713.[6] He acquired the Shewalton estates from Edward Wallace his cousin, disposition dated 15 February 1715.[7] Sir Alexander Cuninghame of Corshill, his brother-in-law, having died deeply in debt, Mr. William purchased his principal estate of Corshill at a judicial sale,[8] apparently under a family arrangement; and afterwards his lands of Stewarton.[9] He executed a bond of tailzie, dated 23 July 1735, settling Shewalton on the Honourable Patrick Boyle his nephew, with remainder to the Honourable Patrick Boyle his grand-nephew, and providing that if ever his brother Lord Glasgow's heir of entail in possession of Kelburne should succeed to Shewalton, or his own heir of entail to the Kelburne estates, Shewalton was to go to the second son of the heir of entail so succeeding at his death.[10] He died unmarried 19 February 1740.[11]
5. *Margaret*, only lawful daughter, was married, contract dated at Kelburne 28 October 1686, and passed with consent of David Boyle of Kelburne her brother-german, tocher £10,000 Scots, to Sir Alexander Cuninghame of Corshill, Knight and Baronet, who was then under age,[12] and had issue.

John Boyle of Kelburne married, secondly, contract dated

[1] Ch. of Conf. dated 7 March 1684, *supra cit.* [2] *Prentice Rolls*, Council Chambers, Edinr. [3] Orig. at Kelburne. [4] *Gen. Reg. Sas.*, lxxxvi. 216, 16 February 1705. [5] *Patent Rolls*, 6 Anne, pt. vi. No. 16, and 8 Anne, pt. ii. No. 8. [6] *Ibid.* [7] *Deeds* (Dalrymple), cxvi., pt. i., 4 January 1722; *Gen. Reg. Sas.*, cxi. 372, 375, 377. [8] *Part. Reg. Sas., Ayr*, vii. 419, 14 March 1733. [9] *Gen. Reg. Sas.*, clix., 27, 2 December 1737. [10] *Deeds* (Dalrymple), cliii., 11 February 1743. [11] Glasg. Tests., 30 January 1741. [12] Orig. at Kelburne.

28 April 1676, Jean Mure, daughter of the then deceased Sir William Mure of Rowallan, Knight, and relict of Gavin Ralston, Younger, of that Ilk (her contract of marriage with whom was dated 25 February 1671;[1] the marriage was solemnised 9 March following).[2] She brought to her second husband as tocher a sum of 1800 merks in cash and an annualrent of 1600 merks.[3] By her[4] he had two sons:—

6. *James*, fifth son, who was admitted student of the University of Glasgow 16 February 1694.[5] He was alive on 13 February 1702,[6] but appears to have been dead before 11 November 1706.[7]
7. *Robert*,[8] who seems to have died before 13 February 1702.[9]

I. David Boyle, afterwards first Earl of Glasgow, was born in 1666.[10] He was a student of the University of Glasgow 8 February 1681.[11] He was served heir in general to John Boyle of Kelburne, his father, 7 January 1686,[12] was a Commissioner of Supply for Ayrshire in the same year,[13] and again in 1690 and 1704; and for Buteshire in 1689, 1696, and 1704.[14] He had commission, dated 5 March 1689, to represent Buteshire in the Convention of the Estates of Scotland;[15] and sat again in Parliament for the same constituency from 15 March 1689 till 31 January 1699.[16] On 16 March 1689 he signed the Act affirming the legality of the meeting of the Estates summoned by the Prince of Orange.[17] On 7 August 1689 he had letters of disposition of the hereditary office of Sheriff of Bute, granted by Sir James Stuart of Bute,[18] who had, it is said, declined to take the oath of allegiance to William III.; but on 23 September 1692 he resigned the office into the hands of Sir James.[19] He was elected Rector of the University of Glasgow 18 March 1690.[20] On 29 June 1693 he became one

[1] Robertson's *Ayrshire Families*, ii. 262. [2] Edin. Marriage Reg. [3] Orig. cont. at Kelburne. [4] Ch. of Confn. dated 7 March 1684, *supra cit.* [5] *Mun. Al. Univ. Glasg.*, iii. 154. [6] Inst. of Resign. of that date at Kelburne. [7] Proc. of Resign. of that date, *ibid.* [8] *Reg. Mag. Sig.*, lib. lxix., No. 165, fol. 75B. [9] Inst. of Resign., *supra cit.* [10] Ms. Family History at Kelburne. [11] *Mun. Al. Univ. Glasg.*, iii. 137. [12] *Ret., Inq. Gen.* [6693]. [13] *Acta Parl. Scot.*, viii. 588A. [14] *Acta Parl. Scot.* [15] *Return supra cit.*, pt. ii. 589. [16] *Ibid.*, 592. [17] *Acta Parl. Scot.*, ix. 9B. [18] *Gen. Reg. Sas.*, lix. 444, 28 October 1689. [19] *Ibid.*, lxxxiv. 209, 2 February 1704. [20] *Mun. Al. Univ, Glasg.*, iii. 328.

of the tacksmen for the additional excise,[1] and held that position until 29 July 1699.[2] In 1694 he sold the lands of Halkshill (or Halkishirst), and others.[3] On 14 May 1695 he was chosen to act on the committee of Parliament for the security of the kingdom.[4] On 10 September 1696 he signed the 'Association' for the defence of King William III.[5] He took his seat in the Privy Council 8 June 1697, on nomination by royal letter dated at Kensington 31 March 1697.[6] On 10 January 1699 he was appointed member of the Commission of Parliament for settling the communications of trade,[7] and took the oath of allegiance.[8] On 31 January 1699 he was created a Peer by the title of LORD BOYLE OF KELBURN, STEWARTOUN, CUMBRAE, FINNICK, LARGS and DALRY, with remainder to his issue-male, whom failing to his heirs-male whatsoever.[9] On 25 August 1702 he was nominated one of the Commissioners to treat for a Union between England and Scotland.[10] On 2 January 1703 he was appointed a Commissioner of the Treasury and Treasurer Depute of Scotland,[11] and he took the oath *de fideli administratione* 25 March 1703.[12] On 12 April 1703 he was advanced to the dignity of EARL OF GLASGOW, VISCOUNT KELBURN, and LORD BOYLE of STEWARTON, CUMBRAES, FENWICK, LARGS, and DALRY, with remainder to his heirs-male whatsoever,[13] and on 11 February 1707 he had a charter of ratification erecting his estates into the Earldom of Glasgow.[14] He was a steady supporter of the Protestant succession, and of the Duke of Queensberry's administration of Scottish affairs. He was again appointed Treasurer Depute 11 June 1705.[15] On 27 February 1706 he was appointed a member of the second Union Commission,[16] and he took a principal part in carrying on the negotiations and perfecting the treaty. On 31 July 1706 he had a commission from Queen Anne as Bailie of the Regality of Glasgow, on the resignation of Charles,

[1] *Bks. of Exch.*, 30 June 1693. [2] *Deeds* (Durie), xcviii., 4 February 1702. [3] *Ibid.*, lxxxv., 23 June 1696. [4] *Acta Parl. Scot.*, ix. 351B. [5] *Ibid.*, x. 10B. [6] *Reg. Sec. Sig., Acta* 1696-99. [7] *Acta Parl. Scot.*, x. App. 107B. [8] *Ibid.*, 108A. [9] *Ibid.*, 188; *Reg. Mag. Sig.*, lib. lxxv. fol. 107. [10] *Acta Parl. Scot.*, xi. App. 145B. [11] Orig. Commission at Kelburne; *Acta Parl. Scot.*, xi. 37B. [12] *Treas. Sederunt Bks.*, x. 264. [13] *Acta Parl. Scot.*, xi. 120B; *Reg. Mag. Sig.*, lib. lxxix. 294, No. 111. [14] *Acta Parl. Scot.*, xi. App. 135A; orig. at Kelburne. [15] *Acta Parl. Scot.*, xi. 212. [16] *Ibid.*, xi. App. 162B.

Duke of Richmond and Lennox.[1] He was High Commissioner to the General Assembly of the Church of Scotland in 1706,[2] and from 1707 to 1710 inclusive.[3] He was chosen to attend the first Parliament of Great Britain as a Representative Peer 13 February 1707,[4] and was re-elected at the general election of 1708.[5] On 16 June 1708 he was appointed Lord Clerk Register,[6] and held the office until 1714. On the alarm of a Jacobite invasion in 1715 he offered to maintain 1000 men at his own expense for the King's service; and received a suitable acknowledgment of this timely proposal from King George I. through Charles, Viscount Townshend, Secretary of State for the Northern Department.[7] He took an active part in promoting the arming and disciplining of the fencible men of Ayrshire, and was present at a muster of 6000 of them at Irvine 22 August 1715.[8] He acquired the lands of Polkelly in 1699,[9] and entailed his estates on his heirs-male 2 July 1715.[10] He died at Kelburne 31 October, and was buried at Largs 7 November 1733.[11]

He married, first, 19 April 1687,[12] Margaret Lindsay, who died in the year 1695, aged twenty-six.[13] She was elder daughter of the then deceased Honourable Patrick Lindsay (or Lindsay-Crawfurd) of Kilbirnie, *jure uxoris*, (second son of John, tenth Lord Lindsay of the Byres, seventeenth Earl of Crawfurd, and first Earl of Lindsay), by Margaret Crawfurd, youngest lawful daughter of the then deceased Sir John Crawfurd of Kilbirnie, Knight.[14] The contract of marriage, which passed with consent of John Crawfurd of Kilbirnie, her brother (afterwards created Viscount Garnock), was executed at Leslie on the day of celebration, 19 April 1687; tocher 9000 merks.[15] Sir John Crawfurd had, on 31 July 1662, executed an entail settling

[1] *Reg. Mag. Sig.*, Paper Reg., xv. 360. [2] *Ibid.*, xv. 325. [3] Orig. Commissions at Kelburne. [4] *Acta Parl. Scot.*, xi. 431A. [5] Robertson's *Proc. rel. to the Peerage of Scotland*, 37. [6] *Reg. Mag. Sig.*, Paper Reg., xv. 402. [7] Letter at Kelburne from Lord Carleton to the Earl of Glasgow, dated London, 6 August 1715; Rec. Off. MS. State Pap., H. O. 1688-1760, bundle 8, No. 9; Rae's *Hist. of the late Rebellion*, 186. [8] Charles's *Hist. of Trans. in Scotland*, i. 249. [9] Writs at Kelburne. [10] *Reg. of Tailzies*, v. 96, No. 139. [11] Largs Register. [12] Copy Mar. Cert. at Kelburne. [13] Ms. Family History at Kelburne. [14] Double of the Honourable Patrick Lindsay's orig. Cont. of Mar. dated 15 December 1664, preserved at Kelburne; *Gen. Reg. Sas.*, vi. 279, 27 June 1663. [15] *Deeds* (Durie), cccxxvi. 269, 12 January 1809.

his estates on his daughter Margaret and her issue;[1] in virtue of which, on the death (21 November 1833) of Lady Mary Lindsay-Crawfurd (the last descendant in the male line of the Honourable Patrick Lindsay and Margaret Crawfurd), George, fourth Earl of Glasgow, as next heir of the said Margaret, succeeded to Kilbirnie, etc.; the Lindsay-Crawfurd estates at the same time devolving on him as heir of the Honourable Patrick Lindsay.[2] Lady Gertrude Cochrane,[3] granddaughter of Earl George, is now heir of line of the Lords Lindsay of the Byres, and the Garnock line of the Earls of Crawfurd;[4] and co-heir of line of the family of Crawfurd of Kilbirnie. By his first marriage the Earl had issue:—

1. John, Lord Boyle, who succeeded; of him after.
2. *Mr. Patrick*, who was admitted Advocate 15 January 1712.[5] On 19 February 1740 he succeeded to Shewalton, etc., under the bond of tailzie executed by Mr. William Boyle, his uncle.[6] He was appointed, by royal letter dated 9 December 1746, a Senator of the College of Justice, and took his seat on the bench, under the title of Lord Shewalton, 19 December 1746.[7] He was nominated one of the commissioners for improving the fisheries and manufactures of Scotland, 6 June 1749.[8] He died unmarried on 31 March or 1 April 1761,[9] at Drumlanrig, and was buried at the church of Largs.[10]
3. *Charles*, who was probably born in 1691, or early in 1692,[11] served in the Royal Navy, and was twice taken prisoner by the French; once apparently when H.M.S. *Advice*, Captain Lord Duffus, was captured, 27 June 1711.[12] He left the service, and was Collector of Customs at Irvine from 1721[13] till 1726.[14] He subsequently went to America, and obtained a grant of land in Long Island, New York.[15] He was appointed a Justice of Peace for the county of Queens 6 April

[1] *Reg. of Tailzies*, ii. 71, 18 February 1747. [2] *Dec. Index Retours*, 1831-40, 10 March 1834. [3] *Vide* p. 219. [4] *Lives of the Lindsays*, ii. 299. [5] *Books of Sederunt*, x. 138. [6] *Vide* p. 200. [7] *Books of Sederunt*, xiii. 43, 4. [8] Record Office, *Treas. Out-Letters, Var.*, lxx. 70. [9] *Reg. of Retours in Chancery*, lxxiv. 331. [10] Family Pedigree at Kelburne. [11] Kelburne Papers. [12] Correspondence at Kelburne; Laird Clowes's *Royal Navy*, ii. 532. [13] *Private Letters*, 8vo, Edin., 1829, 30. [14] *Deeds*, (Durie), ccxvi., 12 April 1757. [15] *N. Y. Counc. Min.*, Record Office, 4 January 1730-31.

1738, and was still in the colony in June 1739,[1] afterwards returning to Britain. He was designate 'Captain' 28 September 1759.[2] He died 13 September 1770[3] in the county of Nottingham, unmarried.[4] His will, dated at Thrumpton, 26 August 1770, was proved 22 December 1770.[5]

The Earl married, secondly, contract dated at Edinburgh, 16 June 1697,[6] Jean Mure, only surviving child of William Mure of Rowallan, and relict of William Fairlie, younger of Bruntsfield.[7] She was served heir in general, and in the lands and barony of Rowallan, to her father, 14 May 1702, at an inquisition held at Irvine,[8] and on 20 May executed a deed of entail settling her estates on her issue by her second husband, then Lord Boyle.[9] She died 3 September,[10] and was buried in the Abbey of Holyrood House 14 September, 1724.[11] By his second marriage the Earl had issue:—

4. *William Mure*, who was known by his mother's surname only. He was alive 20 May 1702,[12] but died young.
5. *Elizabeth*, alive 11 February 1707;[13] died young.
6. *Jean*, married, contract dated at the Canongate 29 March 1720, to Colonel the Honourable James Campbell of H.M.'s Royal Regiment of Grey Dragoons, brother-german to Hugh, Earl of Loudon, afterwards of Lawers, and K.B.; tocher £1500 sterling.[14] Sir James was killed at the battle of Fontenoy 30 April 1745, leaving by this marriage a son, who succeeded as fifth Earl of Loudon. Lady Jean succeeded to the fee of Rowallan 3 September 1724, and was served heir of provision general to her mother 9 July 1729.[15] She died at Lawers 13 December 1729.[16]
7. *Anne*, who was alive 29 March 1720;[17] died unmarried.[18]
8. *Margaret*, mentioned in her sister's contract of mar-

[1] *Notes and Queries*, 3rd Series, iv. 496. [2] *Deeds* (Mack.), cxcvii., 20 March 1765. [3] *Ibid.*, ccxi., 31 January 1772. [4] Family Pedigree at Kelburne. [5] P. P. Registry, Som. Ho. [6] *Part. Reg. Sas., Ayr*, vi. 284, 9 November 1698. [7] *Deeds* (Dalrymple), lxxxii., 17 June 1699. [8] Original Retour at Kelburne. [9] Orig. *ibid.* [10] *Edinburgh Courant* of 10 September 1724. [11] Reg. of the Abbey of Holyrood House. [12] Deed of Entail, *supra cit.* [13] Great Seal Charter of that date at Kelburne. [14] *Deeds, Sheriff-Court of Edinburgh*, 19 March 1756. [15] *Dec. Index Retours*, 1720-29, 4. [16] *Caledonian Mercury*, 18 December 1720. [17] C. of M. of her sister, Lady Jean, *supra cit.* [18] Sess. Papers.

riage.[1] She appears to have been alive 27 February 1732;[2] died unmarried.[3]

II. JOHN, second Earl of Glasgow, was born at Kelburne in the month of April 1688.[4] He was styled 'Lord Boyle' from 12 April 1703 till 31 October 1733, when he succeeded to the Peerage. He acquired the lands of Ballikewin in the island of Cumbrae, by disposition granted by his kinsman James Boyle of Ballikewin, dated 31 March 1721.[5] He died at Kelburne 22 May, and was buried at Largs Church 29 May, 1740.[6]

He married, contract dated at Edinburgh 11 February 1707, tocher 60,000 merks, Helenor Morison, (third) daughter of William Morison of Prestongrange, co. Haddington.[7] She died at Edinburgh 7 July 1767.[8] They had issue:—

1. *David*,[9] who died 15, and was buried at Prestonpans Church 17, April 1710.[10]
2. *William*, born 15 September 1713,[11] died 4 June 1715.[12]
3. JOHN, who succeeded as third Earl of Glasgow; of him after.
4. *Charles*, born at Edinburgh 17 November 1715;[13] died young.
5. *Patrick*, who was born (at Queensberry House, Canongate, Edinburgh) 7 January 1717,[14] matriculated at St. Mary's Hall, Oxford, 27 February 1736-37.[15] He took Deacon's orders in the Church of England, and in August 1744 was present, as an army chaplain, with the army in Flanders.[16] On the death, in 1761, of Lord Shewalton, his uncle, to whom he was served heir 21 June 1762,[17] he succeeded to Shewalton, etc., under the entail of his grand-uncle.[18] He died 26 February 1798, at Irvine, and was buried there.[19]

He married, first, 14 August 1749,[20] postnuptial con-

[1] *Ut supra.* [2] *Priv. Letters, ut supra*, 82. [3] Sess. Papers. [4] Correspondence at Kelburne. [5] *Deeds* (Mack.), clxxvii., 11 January 1751. [6] Largs Register. [7] *Deeds* (Mack.), cxvii. 16 August 1715. [8] *Edin. Courant*, Wednesday, 8 July 1767; *Scots* and *Gentleman's Mag.* of date. [9] Crawfurd's *Peerage*, 173; Correspondence at Kelburne. [10] Note by the late Mr. John Riddell, in Adv. Lib. [11] Canongate Register. [12] Correspondence at Kelburne. [13] *Ibid.* [14] Canongate Register. [15] Foster's *Alumni Oxon.*, i. [16] Correspondence at Kelburne. [17] *Reg. of Retours in Chancery*, lxxiv. 331. [18] *Vide* pp. 200, 204. [19] M. I. in Irvine Churchyard. [20] Neilston Register.

tract dated at Kelburne 14 June 1751,[1] Agnes Mure, second daughter of Mr. William Mure of Caldwell, Advocate, but by her, who died at Caldwell 27 May 1758,[2] he had no issue.

He married, secondly, postnuptial contract dated at Kilwinning 31 March 1763, Elizabeth Dunlop, daughter of Mr. Alexander Dunlop, Professor of Greek in the University of Glasgow,[3] and by her, who died at Shewalton, 21 March,[4] and was buried at Dundonald 27 March, 1832,[5] had issue:—

(1) *William*, born 9 August 1763.[6] He was gazetted ensign in the 48th Regiment of Foot 9 February 1780, and lieutenant 21 June 1781.[7] He died (unmarried) at Glasgow, 13 March, and was buried there 17 March, 1783.[8]

(2) *John*, born 14 May 1765,[9] matriculated in 1778 at the University of Glasgow, where he was Snell Exhibitioner 8 April 1784;[10] also, 23 September 1784, at Balliol College, Oxford, where he graduated B.A. 1788.[11] He succeeded to Shewalton at his father's death, 26 February 1798.[12] He was appointed lieutenant in the 3rd, or West Lowland, Regiment of Fencibles, 1 March 1793, and captain 25 December 1794; major in the 7th, or Ayrshire, Regiment of Militia 23 May 1798,[13] and lieutenant-colonel commandant of the same regiment (then styled the Ayr and Renfrewshire) 20 August 1799.[14] He had commission as Deputy-Lieutenant of Ayrshire 15 January 1800.[15] He died (unmarried) at Shewalton, 30 January 1837, and was buried at Dundonald.[16]

(3) *Alexander Charles*, a midshipman R.N., died (unmarried) at Glasgow 30 April, and was buried there 1 May, 1786.[17]

(4) *David*, born at Irvine 26 July 1772.[18] He matriculated, 22 February 1787, at the University of St. Andrews,[19] and in 1789 at the University of Glasgow.[20] He was admitted Advocate 17 December 1793,[21] appointed Solicitor-General for Scotland 5 May 1807;[22] and elected M.P. for Ayrshire 5 June following.[23] He was appointed one of the Senators of the College of Justice, and a Lord of Justiciary, by royal letter dated 15 February, and took his seat on the bench, as Lord Boyle, 28 February 1811;[24] was nominated Lord Justice-

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[1] *Deeds* (Dalrymple), clxxxviii., 24 December 1760. In this record the date of the contract is erroneously given as 14 June 1748; but the 'warrant' for the copy, *i.e.* the original document preserved at the Register House, bears date 14 June 1751. [2] *Scots Mag.*, xx. 277. [3] Orig. Contract at Kelburne. [4] M. I. in Dundonald Churchyard. [5] Dundonald Register. [6] Kilwinning Register. [7] Army Lists. [8] Glasgow Register. [9] Kilwinning Register. [10] Innes Addison's *Snell Exhibitions*, 62. [11] *Ibid.* [12] *Part. Reg. Sas., Ayr*, 17 May 1798. [13] Commissions at Kelburne. [14] *Ibid.*; *London Gazette*, 889. [15] Orig. at Kelburne. [16] M. I. in Dundonald Churchyard. [17] Glasgow Register. [18] Irvine Register. [19] Univ. Rec., St. Andrews. [20] Univ. Rec., Glasgow. [21] *Books of Sederunt*, xviii. 9. [22] *Rec. of Exchequer*. [23] *Return*, etc., *supra cit.*, pt. ii. 253. [24] *Books of Sederunt*, xx.

Clerk, commission dated 19 October 1811;[1] sworn of the Privy Council 8 April 1820;[2] and appointed Lord Justice-General and Constant President of the Court of Session, by royal letter dated 7 October 1841.[3] He was elected Lord Rector of the University of Glasgow 15 November 1815.[4] On 30 January 1837 he succeeded to Shewalton on the death of his brother John, to whom he was served heir of tailzie and provision special 19 July following.[5] On 7 July 1837 he changed his official title as a Lord of Session to 'Lord Shewalton.'[6] He retired from the bench 5 May 1852;[7] died at Shewalton 4, and was buried at Dundonald 11, February 1853.[8]

He married, first, at Annick Lodge, 24 December 1804, Elizabeth Montgomerie, eldest daughter of Alexander Montgomerie of Annick Lodge,[9] brother-german of Hugh, twelfth Earl of Eglinton; and by her, who died at Edinburgh 14,[10] and was buried at St. John's Episcopal Church there 22, April 1822,[11] had issue:—

i. *Patrick*, born at Edinburgh 29 March 1806. He was educated at Oriel College, Oxford; proceeded M.A. 1832. He was admitted Advocate 10 July 1829, and on 27 and 29 March 1833 was appointed Clerk Depute of Justiciary, which office he renounced 30 April 1856. He succeeded to Shewalton on the death of his father 4 February 1853, and served as Convener of the county of Ayr 1864-74. He died at Shewalton 4 September, and was buried at Dundonald 9 September, 1874.

He married, at Logie Elphinstone, co. Aberdeen, 17 August 1830, Mary Frances Elphinstone-Dalrymple, second daughter of Sir Robert Dalrymple-Horn-Elphinstone of Horn and Logie Elphinstone, Bart., and by her (who died at Ayr 15 September, and was buried at Dundonald 18 September, 1880), had issue:—

(i) DAVID, born at Edinburgh 31 May 1833; succeeded as seventh Earl of Glasgow 23 April 1890; of him after.

(ii) *Robert Elphinstone*, born at Rome 3 June 1837. Ensign late 46th Bengal Native Infantry 10 December 1854; Bengal Staff Corps 12 September 1866; colonel 10 December 1884; unemployed supernumerary list. Served with the 2nd Bengal Fusiliers (now 2/Royal Munster Fusiliers), and 2nd Sikh Irregular Cavalry (afterwards 12th Bengal Cavalry) in the Mutiny campaigns 1857-60; specially thanked by the Governments of India and the North-Western Provinces for services with the latter regiment in 1859-60; medal. Served in command of the XI. P.W.O. Bengal Lancers

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[1] *Books of Sederunt*, xx. [2] Haydn's *Book of Dignities*, 210. [3] *Books of Sederunt*, xxvii. 234. [4] Letter of Intimation at Kelburne. [5] *Dec. Ind. Ret.*, 1830-39, 9. [6] *Sed. Book*, 2nd Div. [7] *Exch. Rec.* [8] Dundonald Register. [9] Dreghorn Register. [10] M. I. at St. John's Episcopal Church, Edinburgh. [11] Reg. of St. John's.

in Afghanistan 1878-79, mentioned in dispatches; medal, with clasp for Ali Masjid.

(iii) *Alexander James*, born at Treesbanks, co. Ayr, 26 February 1842. Ensign 30th Regiment 12 March 1861; retired by the sale of his commission 20 October 1865.

He married, first, at Sydney, New South Wales, 20 July 1876, Mary Louisa Jane Hodgkinson (daughter of William Hodgkinson), who died without issue; secondly, at Sydney, 14 November 1892, Clare, daughter of John Banning, of Sydney, and widow of William Sydney Jones; and by her had issue:—

a. Helen Græme, born in London 14 February 1895; died at St. Helen's, Isle of Wight, 14 January 1899.

(iv) *Græme Hepburn*, born at Edinburgh 8 February 1848; died at Malaga 28 January 1852; buried there.

(v) *Elizabeth Magdalene Græme*, born at Edinburgh 3 January 1835.

(vi) *Louisa Laura*, born at Florence 5 June 1838; died at Edinburgh 28 June 1847; buried at St. John's Episcopal Church there.

(vii) *Mary Helen*, born at Shewalton 11 March 1840.

(viii) *Helen Jane*, born at Edinburgh 26 April 1844.

(ix) *Henrietta Augusta*, born at Edinburgh 5 November 1845; died at Torre Molinos, near Malaga, 6 May 1852; buried at Malaga.

(x) *Catherine Charlotte Anne Eliza*, born at Edinburgh 9 February 1849; died at Malaga 16 December 1851; buried there.

The survivors of this family had a warrant of precedence as Earl's children, dated 17 August 1892.

ii. *Alexander*, born at Edinburgh 9 March 1810. He entered the Royal Naval College in September 1823, and had commission as lieutenant R.N. 5 October 1840. He retired as captain with the rank of rear-admiral 2 July 1864; and was promoted to retired vice-admiral 2 August 1879. He died in London 8, and was buried at Brompton Cemetery 11, June 1884.

He married, at St. Margaret's, Westminster, 2 July 1844, Agnes Walker, youngest daughter of James Walker, C.E.; and by her (who died in London 16, and was buried at Brompton Cemetery 20, April 1898) had issue:—

(i) *Patrick David*, born at Edinburgh 24 October 1848. Ensign 89th Regiment 16 September 1868; ensign and lieutenant Grenadier Guards 9 October 1869; regimental adjutant 29 January to 11 November 1878; captain and lieutenant-colonel 11 October 1879; colonel 1 October 1884; major Grenadier Guards 26 May 1885; military

secretary to General Sir T. M. Steele, K.C.B., Commander of the Forces in Ireland, from 1 October 1880 to 1 October 1885; retired 1 October 1885.

He married at Tilehurst, 3 August 1872, Kathleen Digby Blagrave, third daughter of John Henry Blagrave of Calcot Park, Berks, and by her has issue:—

a. Godfrey Henry Patrick, born in London 4 February 1882; 2nd lieutenant Northumberland Fusiliers 30 April 1902.

b. Cecil Alexander, born in London 28 March 1888.

(ii) *James*, born at Edinburgh 27 February 1850. Educated at Harrow. Ensign 89th Regiment 9 October 1869, captain 23 June 1880; A.D.C. to Sir James Fergusson, Bart., Governor of Bombay, from January 1883 to April 1885; officiating Military Secretary from April to November 1883. Retired 2 September 1885. Appointed Consul at Galveston, Texas, U.S.A., 7 February 1891, and at Copenhagen 16 October 1894. M.V.O. 18 April 1904.

He married in London, 30 April 1891, Blanche Eleanor Murray Pratt, eldest daughter of the Rev. Jermyn Pratt of Ryston Hall, Norfolk.

(iii) *Alexander*, born in London 24 November 1857. Educated at Harrow.

He married at Waimate, Canterbury, New Zealand, 5 July 1883, Fanny Studholme, eldest daughter of Michael Studholme of Waimate, and by her has issue:—

a. Alexander David, born at Langlands, Otaio, South Canterbury, New Zealand, 3 November 1887. Naval cadet 15 September, midshipman, R.N., 30 November 1904.

b. Alister Patrick, born at Lower Riccarton, Christchurch, New Zealand, 7 January 1905.

c. Janet, born at Langlands, Otaio, 22 January 1886.

d. Phyllis Montgomerie, born at Riccarton, Canterbury, New Zealand, 9 November 1889.

(iv) *Janet*, born at Edinburgh 3 June 1845; was married at Hartley Wintney, 16 October 1879, to Captain William Henry Fife, 9th Lancers, now brevet-major, and retired, of Langton Hall, Northallerton, and has issue.

(v) *Elizabeth Helen*, born at Westminster 13 August 1846.

(vi) *Agnes Margaret*, born at Merton, Wimbledon,

28 June 1851; was married in London, 9 May 1876, to Francis Pratt-Barlow, and has issue.

(vii) *Henrietta Camilla*, born at Southsea 14 February 1853, was married in London, 21 January 1880, to Colonel John Sutton Rothwell, R.A. (who died 13 March 1893), and had issue. She died at Sandhurst 28 May, and was buried at Camberley 2 June, 1902.

(viii) *Frances Montgomerie*, born at Southsea 12 April 1854; was married in London, 16 July 1879, to Charles Woodbyne Parish (eldest son of the second marriage of the late Sir Woodbine Parish, K.C.H.), and had issue. She died in London 29, and was buried at Brompton Cemetery 31, January 1889.

iii. *David*, born at Edinburgh 10 July 1811. He died there 21 February 1815.

iv. *John*, born at Hawkhill, near Edinburgh, 9 September 1819. He studied at Glasgow University 1835-36, 1837-38, and obtained the Snell Exhibition 12 November 1839. He matriculated at Balliol College, Oxford, 22 March 1839; he there took a 3rd class degree; B.A. 1843, M.A. 1846. He is a barrister-at-law.

He married, at the Episcopal Church of Hamilton, co. Lanark, 6 September 1853, Jane Walrond, second daughter of Theodore Walrond of Calder Park, and has issue:—

(i) *Henry David*, born in London 26 December 1856; educated at Wellington College.

He married, at Hurstpierpoint, 19 September 1882, Emma Chambres Robinson, eldest daughter of the Rev. Hugh George Robinson, Honorary Canon of York, and one of H.M.'s Charity Commissioners, and has issue:—

a. David Hugh Montgomerie, born in London 1 September 1883; educated at Wellington College and New College, Oxford; Imperial Chinese Customs, 1904.

(ii) *Montgomerie*, born at Egham 20 March 1859. Second lieutenant South Nottinghamshire Imperial Yeomanry 15 December 1897, captain 23 April 1902.

He married, at Ruddington, 7 April 1891 Constance Helen, youngest daughter of Henry Abel-Smith of Wilford, co. Notts, and has issue:—

a. Marion Montgomerie, born at Pendoggett, co. Somerset, 21 August 1892.

(iii) *Jane Flora*, born in London 8 February 1855.

v. *William*, born at Edinburgh 25 January 1821. Entered the army, from which he retired in 1874 with the rank of colonel, and C.B., Knight of the Legion of Honour, and fifth class of the Turkish Order of the

Medjidie, having seen much service. He died in London 14, and was buried at Sandhurst 19, February 1874.

He married, at Sandhurst, 14 June 1853, Louisa Catherine Parsons, eldest daughter of the Rev. Henry Parsons, Rector of Sandhurst, and by her (who died at Valetta, Malta, 2 February, and was buried there 3 February, 1873), had issue:—

(i) *William Henry David*, born in London 11 February 1861, educated at Eton and King's College, Cambridge; proceeded M.A. 12 May 1887. He was appointed a clerk in the office of the Local Government Board 15 September 1884, and was transferred to the Treasury 21 August 1888. He died in London 7, and was buried at East Dean, co. Wilts, 10, July 1897.

He married, at Salisbury, 22 September 1888, Eleanor Curzon, third daughter of the Honourable Henry Dugdale Curzon, and by her (who died in London 15, and was buried at East Dean 21, November 1893) had an only son:—

a. George Frederic, born in London 11 October 1893.

(ii) *Anna Louisa Alexandrina*, born at the Citadel, Corfu, 4 November 1854.

vi. *Archibald Thomas*, born at Edinburgh 14 April 1822, died unmarried 27 March 1863.

vii. *Elizabeth*, born at Edinburgh 8 June 1807. She was married there, 2 December 1828, to James Hope, W.S., Joint Deputy Keeper of the Signet (sole Keeper 1850-82), third son of the Right Honourable Charles Hope, Lord President of the Court of Session, and had issue. She died at Devonport 20, and was buried at Warriston Cemetery, Edinburgh, 24, July 1880. He died at Edinburgh 14 February 1882.

viii. *Helen*, born at Edinburgh 24 October 1808. She was married there, 1 June 1829, to Sir Charles Dalrymple-Fergusson of Kilkerran, Bart., and had issue. She died at Newhailes 26 June, and was buried at Dailly, co. Ayr, 2 July, 1869. He died at Inveresk 18 March 1849.

ix. *Hamilla Augusta*, born at Seagrove, near Edinburgh, 14 September 1813, died unmarried at Wemyss Bay 21, and was buried at Largs Cemetery 26, July 1875.

x. *Jane*, born at Edinburgh 21 February 1815, and died there 11 May 1824.

xi. *Eleanora Charlotte*, born at Hawkhill, near Edinburgh, 12 July 1816, died unmarried at Wemyss Bay 10, and was buried at Largs Cemetery 14, December 1891.

The Right Honourable David Boyle married, secondly, at Edinburgh, 17 July 1827, Catherine Campbell Smythe, eldest surviving daughter of David Smythe of Methven, a Senator of the College of Justice (styled Lord Methven),

and by her (who died in London 25, and was buried at Highgate 29, December 1880), had issue:—

xii. *George David*, seventh son, born at Edinburgh, 17 May 1828. He was educated at Charter House and Exeter College, Oxford; proceeded M.A. 1853. He took orders, and was presented to the Vicarage of Kidderminster 1867; and appointed Dean of Salisbury 5 May 1880. He died at Salisbury 21, and was buried in the Cathedral cloisters 26, March 1901.

He married, at Hagley, co. Worcester, 7 January 1861, without issue, Mary Christiana Robins, eldest daughter of William Robins, Hagley.

xiii. *Robert*, born at Edinburgh, 2 December 1830; 2nd lieutenant R.A. 19 December 1848, captain 1 June 1855; served at the siege and fall of Sebastopol; medal and clasp. He died at Kidderminster 29 August, and was buried at Hagley 2 September, 1869.

He married, at Valetta, Malta, 9 July 1856, Frances Sydney Sankey, eldest daughter of Francis F. Sankey, M.D., and had issue:—

(i) *Charles Fremoult*, born at Valetta 5 July 1857.

He married at St. Helena, Montana, U.S.A., in September 1883, Martha Trotter, and has issue:—

a. Robert Fremoult, born at Helena, Montana, 17 February 1887.

b. Frances Minna Fremoult, born at Salt Lake, U.S.A., 4 July 1884.

(ii) *Sydney Herbert*, born at Woolwich 8 April 1863. Educated at Keble College, Oxford. Served in the Railway Pioneer Regiment in the Boer war 1900-2; lieutenant 6 July 1901; medal, and three clasps for Cape Colony, Free State, and Transvaal. Educational Department, Transvaal, 1 April 1902.

(iii) *Edward Louis Dalrymple*, born at Woolwich, 19 December 1864; naval cadet 15 January 1878, lieutenant R.N. 18 June 1885; resigned the service 28 October 1890. His commission was afterwards restored to him, as an emergency officer, under order in Council dated 13 May 1891. He served in the Egyptian war of 1882, and in the Soudan 1884; present with the Naval Brigade at the action of El Teb, fought against Osman Digna 29 February 1884, when British troops first met the forces of the Mahdi. Egyptian medal, with clasps for Suakim 1884, and El Teb, and Khedive's star.

He married, in London, 14 September 1889, Theodosia Isabella Ogilvie, third daughter of Edward David Stuart Ogilvie of Yulgilbar, New South Wales, and has issue:—

a. Edward Patrick Ogilvie, born at Emmaville, N.S.W., 22 July 1893.

b. Theodosia Frances, born at Beverley, co. York, 24 June 1890.

c. Irene Florinda Maud, born at Casino, N.S.W., 6 January 1895.

(iv) *Cecil David*, born at Llandaff 8 March 1869; educated at Wellington College. He served in the Border Regiment; on the unattached list in the Tirah campaign of 1897-98 (medal), and in the Waziri expedition (medal); also with the Indian Transport Corps in the Boer war 1899-1900; was appointed lieutenant in the Provisional Mounted Police, Orange River Colony, May 1900; captured by the enemy at Dewetsdorp 23 November 1900, and shot while a prisoner in January 1901.

(v) *Catherine Minna*, born at Valetta 16 September 1859.

(vi) *Constance Antonina*, born at Bexley 21 December 1865.

xiv. *Henry Dundas*, born at Edinburgh 1 February 1833. He was appointed to the East India Company's Civil Service, but did not live to go to India. He died at Shewalton 19 April, and was buried at Dundonald 25 April, 1853.

xv. *Amelia Laura*, sixth daughter, born at Edinburgh 27 December 1835.

(5) *Helen*, who was married at Irvine, 3 June 1791 (contract dated the previous day[1]), to Thomas Mure of Warriston House, Inverleith, Edinburgh (son of Lieutenant-Colonel George Mure, and nephew of William Mure of Caldwell), and had issue. She died at Newcastle-under-Lyme 7 August 1805.[2] He died at Warriston House 26 June, and was buried at Greyfriars 1 July, 1806.[3]

(6) *Elizabeth*, who was married, 10 November 1800, to Rear-Admiral John Rouet-Smollett of Bonhill and Auchindennan, co. Dumbarton, and had issue. He died in the year 1842; she died at Cameron 6 August, and was buried at Alexandria 13 August, 1858.

(7) *Margaret*, baptized 4 February 1770;[4] died young.

(8) *Agnes*, born 13 May 1774;[5] died unmarried 5 May 1791.[6]

6. *David*, born 20 December 1717;[7] died young.

7. *Janet*, born 17 January 1711;[8] died unmarried, and was buried at Greyfriars, Edinburgh, 24 March 1770.[9]

8. *Margaret*, born 27 July 1712;[10] died unmarried (at Queensberry House, Canongate), and was buried at Greyfriars 29 March 1772.[11]

9. *Jean*, died unmarried 12 May 1756.[12]

[1] Perceton Muniments. [2] *Scots Mag.*, lxvii. 646. [3] M. I. at Greyfriars; Greyfriars Reg. [4] Irvine Reg. [5] *Ibid.* [6] Date on mourning brooch at Kelburne. [7] Canongate Reg. [8] *Ibid.* [9] Greyfriars Reg. [10] Canongate Reg. [11] Greyfriars Reg. [12] *Gent. Mag.*

10. *Helen*, who was married, 25 September 1768, as second wife, to Sir James Douglas of Springwood Park, co. Roxburgh, Bart., Admiral of the White, but had no issue. She died at Portman Square, London, 17 October 1794.
11. *Marion*, died unmarried at Kelburne 12 May 1757.[1]
12. *Catharine*, who was married, 10 December 1770,[2] to Dr. James MacNeill of Neilhall. The contract of marriage was dated 23 November 1770.[3]

III. JOHN, third Earl of Glasgow, was born at Edinburgh 4 November 1714.[4] He succeeded his father on 22 May 1740. In 1744 he purchased a cornetcy in the Royal North British Dragoons (Scots Greys), the regiment of which his uncle by marriage, General Sir James Campbell, was colonel.[5] He served with them in Flanders in that year[6] and the next, and was wounded at the battle of Fontenoy, 30 April 1745,[7] having two fingers shot off.[8] He was afterwards promoted into the 33rd (Johnson's) Regiment of Foot, and was taken on the strength as additional captain 17 June 1746.[9] He was present at the battle of Laffeld (Laeffelt), or Val, 2 July 1747 (N.S.), where he was again wounded severely in several places.[10] He retired from the service 29 April 1752.[11] He was Lord High Commissioner to the General Assembly of the Church of Scotland from 1764 to 1772 inclusive.[12] He died at Kelburne 7 May 1775,[13] and was buried at Largs.[14]

He married, 7 July 1755, Elizabeth, second daughter of George, twelfth Lord Ross. Her brother William, last Lord Ross, was succeeded in the family estates of Hawkhead, co. Renfrew, etc., by her elder sister, the Hon. Jean Ross (wife of John Ross McKye); on whose death, without issue, 19 August 1777, the succession devolved on the Countess of Glasgow and her heirs.[15] She died in London

[1] Fam. Pedigree. [2] *Scots Mag.*, xxxii. 683. [3] *Deeds* (Mack.), ccxxxi., 31 January 1782. [4] Canongate Reg. [5] *Caldwell Papers*, i. 157 *n*. [6] Correspondence at Kelburne. [7] Gazette Extraordinary, Whitehall, 11 May 1745. [8] *Caldwell Papers*, *loc. cit.* [9] Ms. Army Lists, Rec. Off., 9, 1736, etc., 94. [10] *London Gazette*, No. 8654, June 30-July 4, 1747. [11] Ms. Army Lists *ut supra*; *London Gazette*, No. 9164, gives the date of the promotion in succession to him as 13 May 1752. [12] Haydn's *Book of Dignities*, 417. [13] *Scots Mag.*, xxxvii. 166. [14] Family Pedigree. [15] *Deeds* (Mack.), ccxxiv., pt. ii., 17 November 1778.

9 October 1791,[1] and was buried at Renfrew.[2] The issue of this marriage was:—

1. *John*, styled Lord Boyle, born 26 March 1756, died young.
2. GEORGE, styled Lord Boyle, who succeeded as fourth Earl of Glasgow; of him after.
3. *Elizabeth*, who was married at Hawkhead, 16 October 1786, to Sir George Douglas of Springwood Park, Bart., M.P. for the county of Roxburgh, and had issue. She died in London 15 February 1791.[3]
4. *Helen*, died unmarried 4 October 1780.[4]
5. *Jane*, died unmarried 30 April 1823.

IV. GEORGE, fourth Earl of Glasgow, was born 18 September 1765.[5] He succeeded his father 7 May 1775. He served as captain in the West Lothian Fencible Regiment in 1793; and afterwards as major of the Angus Fencibles, lieutenant-colonel of the Rothesay and Caithness Fencibles, and colonel, first of the Ayr and Renfrew, and afterwards of the Renfrewshire Militia. He retired in 1806. He had commission as Lord-Lieutenant of the county of Renfrew, dated 11 April 1810;[6] was chosen a Representative Peer at the general election of 1790, and rechosen at every election till 1815;[7] and was elected Lord Rector of the University of Glasgow 1817. He was created a Baron of the United Kingdom of Great Britain and Ireland by the title of BARON ROSS OF HAWKHEAD, in the county of Renfrew, by patent dated 11 August 1815.[8] He had commission as Lord-Lieutenant of Ayrshire 17 January 1820,[9] but resigned the appointment before 25 February following.[10] He received the Grand Cross of the Order of the Guelphs (Hanover), Civil Division, in 1830.[11] He succeeded to the Lindsay-Crawford estates, and Kilbirnie, etc., 21 November 1833.[12] He died 3 July 1843, and was buried at Renfrew.

He married, first, at Edinburgh, 7 March 1788, Lady Augusta Hay, third daughter of James, fifteenth Earl of

[1] *Scots Mag.*, liii. 518. [2] Family Pedigree. [3] *Ibid.* [4] *Gentleman's Mag.*, 495. [5] Coll. of Arms, Norfolk 5, 30. [6] Original at Kelburne. [7] Almanacks, V.Y., Adv. Lib. [8] Norfolk 5, *ut supra*. [9] Haydn's *Bk. of Dig.*, 508. [10] *London Gazette*, 361. [11] Haydn's *Bk. of Dig.*, 786. [12] *Vide* p. 204.

Erroll,[1] and by her, who, in 1806, succeeded to Etal, co. Northumberland, the estate of Sir William Carr, her maternal grandfather, and who died 23 July 1822, had issue :—

1. *John*, styled Lord Boyle, born at Edinburgh 12 August 1789.[2] Served in the Royal Navy. In July 1807, when a midshipman on board H.M.S. *Gibraltar*, in the squadron of the Channel Fleet off Brest and Lorient, he was put in charge of the Chasse-Marée '*Lorient*,' which was attacked by the French in Quiberon Bay, and after a gallant resistance was compelled to surrender. He was sent as a prisoner of war to Verdun, and did not obtain his liberty until July 1814.[3] He died *v.p.*, unmarried, at Tunbridge Wells,[4] 6 March,[5] and was buried at Marylebone Parish Church 16 March, 1818.[6]
2. James, succeeded as fifth Earl of Glasgow; of him after.
3. *William*, born at Edinburgh 8 November 1802.[7] He died 7 September, and was buried in Canterbury Cathedral 13 September, 1819.[8]
4. *Isabella Margaret*, born 7 July 1790;[9] died, unmarried, in January 1834.
5. *Elizabeth*, born in London 21 March 1794;[10] died, unmarried, at Hawkhead 1 February 1819, and was buried at Renfrew.
6. *Augusta*, born at Richmond 14 August 1801.[11] She was married, 19 May 1821, at Kent House, Knightsbridge, to Captain Frederick Fitzclarence of the 7th Regiment, natural son of H.R.H. the Duke of Clarence, (afterwards, under royal warrant dated 24 May 1831,[12] Lord Frederick Fitzclarence, who became a lieutenant-general, G.C.H., and Commander-in-chief at Bombay, and died 30 November 1854 at Poorundhur, near Poonah, aged 55); and had issue a daughter. Lady Augusta succeeded to Etal on the death of the fifth Earl, her brother, 11 March 1869. She died 28 July 1876.

[1] Coll. of Arms, Peers' Pedigrees, A., 101, 104. [2] Norfolk 5, *ut supra*. He was invariably styled Lord Boyle during his lifetime. [3] Rec. Off., Dispatches; Correspondence at Kelburne. [4] *Complete Peerage*, iv. 27. [5] Norfolk 5, *ut supra*. [6] Marylebone Register. [7] His birth was registered in the Abbey Church of Paisley (Norfolk 5, *ut supra*). [8] Printed Register of Burials in the Cathedral. [9] Norfolk 5, *ut supra*. [10] *Ibid.* [11] *Ibid.* [12] *Complete Peerage*, v. 423 *n.*

George, fourth Earl of Glasgow, married, secondly, 13 November 1824, Julia Sinclair, third daughter of Sir John Sinclair of Ulbster, Bart., and by her (who died 19 February 1868, and was buried at Renfrew) had issue:—

7. GEORGE FREDERICK, fourth son, who succeeded as sixth Earl of Glasgow; of him after.
8. *Diana*, born 1 July 1828. She was married, without issue, 4 July 1849, to John Slaney Pakington, afterwards second Lord Hampton. She died in London 1, and was buried at Powick, co. Worcester, 5, January 1877. He died 26 April 1893.

V. JAMES, fifth Earl of Glasgow, was born 10 April 1792.[1] He was styled Viscount Kelburne after the death of Lord Boyle, his brother, in 1818, until he succeeded his father 3 July 1843. After succeeding to Etal at his mother's death, he prefixed the surname of Carr to that of Boyle, by royal licence dated 2 August 1823.[2] He served in the Royal Navy, was present at the capture of the Ionian Islands from the French, 1809-10, attained the rank of lieutenant 8 January 1814, and was placed on the retired list with the rank of commander 7 November 1856. He was elected M.P. for Ayrshire 1 May 1839, and again at the general election of 1841; and sat till his succession in 1843.[3] He was appointed Lord-Lieutenant of Renfrewshire 21 October 1844.[4] He was well known and very popular on the turf as a breeder and owner of racehorses. He died at Hawkhead 11, and was buried at Renfrew 19, March 1869.

He married, at Milton, par. Straiton, co. Ayr, 4 August 1821, Georgina Ann Hay-Mackenzie, youngest daughter of Edward Hay-Mackenzie of Newhall and Cromarty, without issue. She died, aged 99, at Portmore, co. Peebles, 14, and was buried at Renfrew 19, March 1895.

VI. GEORGE FREDERICK, sixth Earl of Glasgow, was born at Edinburgh 9 October 1825. He was educated at Christ Church, Oxford; proceeded M.A. 1852.[5] He succeeded his half-brother 11 March 1869. He erected at Millport,

[1] Marylebone Register. [2] *Complete Peerage*, iv. 27. [3] *Return of Members of Parliament*, 1 March 1878, pt. ii., 374, 391. [4] *London Gazette*, 3601. [5] Foster's *Alum. Oxon.*, i.

Cumbrae, a college, with a collegiate church now used as the Cathedral of the Diocese of the Isles, and Pro-cathedral of the Diocese of Argyll, Episcopal Church of Scotland. He sat as M.P. for Bute from 6 February to 20 July 1865.[1] He was appointed Lord Clerk Register 21 February 1879, and held the office until his death. On 5 May 1886 he petitioned the Court of Session for authority to record an instrument of disentail of his entailed estates, which was granted. He died at Edinburgh 23, and was buried at the college, Millport, 30, April 1890. The barony of Ross of Hawkhead in the Peerage of the United Kingdom became extinct at his decease.

He married, at Stirling, 29 April 1856, the Hon. Montagu Abercromby, only daughter of George Ralph, third Lord Abercromby, and had issue:—

1. *Gertrude Georgina*, born at Edinburgh, 15 November 1861. She was married, in London, 2 December 1880, to the Hon. Thomas Horatio Arthur Ernest Cochrane, third son of Thomas, eleventh Earl of Dundonald, and has issue. Lady Gertrude is heir of line of the original family of Maxwell of Pollok, of the Lords Lindsay of the Byres, and the Garnock line of the Earls of Crawford; and co-heir of line of the family of Crawfurd of Kilbirnie.[2]
2. *Muriel Louisa Diana*, born at Edinburgh 18 November 1873.

VII. David, seventh Earl of Glasgow, eldest son of Patrick Boyle of Shewalton (*vide* p. 208, descendants of John, second Earl), was born at Edinburgh 31 May 1833. He served in the Royal Navy; naval cadet 28 April 1846, commander 16 December 1865. He took part in the operations against the Russians in the White Sea in 1854, and in the China war of 1857; was employed in the destruction of Chinese war-vessels in Escape Creek, 25 May 1857 (China medal), and was present at the destruction of the Fatshan flotilla of war-junks, 1 June 1857 (clasp for Fatshan). He retired with the rank of captain, 6 September 1878. He succeeded to Shewalton 4 September 1874, and as seventh Earl of Glasgow 23 April 1890. He acquired the estate of

[1] *Return*, etc., 1878, pt. ii. 457, 473. [2] *Vide* pp. 196 and 204.

Kelburne in November 1886,[1] and afterwards sold that of Shewalton. He was appointed Governor and Commander-in-chief of the colony of New Zealand and its dependencies, 27 February 1892,[2] and held that position until 7 April 1897.[3] He was gazetted Knight Grand Cross of the Order of St. Michael and St. George on his appointment as Governor, 22 February 1892; and was created a Peer of the United Kingdom of Great Britain and Ireland by the title of BARON FAIRLIE OF FAIRLIE in the county of Ayr, by patent dated 23 July 1897. The degree of LL.D. was conferred on him, *honoris causâ*, by the University of Glasgow, 14 June 1901, and by the University of Dublin, 30 June 1904. He is a J.P. and D.L. for the county of Ayr. He married, at Blairquhan, co. Ayr, 23 July 1873, Dorothea Elizabeth Thomasina Hunter-Blair, eldest daughter of Sir Edward Hunter-Blair, Bart., of Blairquhan, and has issue:—

1. *Patrick James*, styled Viscount Kelburne, born at Edinburgh 18 June 1874, an officer in the Royal Navy; naval cadet 15 January 1888, lieutenant 22 June 1897. He married at Bletchingley, 29 May 1906, Hyacinthe Mary, youngest daughter of William A. Bell, of Pendell Court, co. Surrey.
2. *Edward George*, born at Shewalton 16 June 1875. Appointed second lieutenant Rifle Brigade 4 May 1898. He served in the Soudan in 1898, and was present at the battle of Omdurman (medal and clasp). He died, unmarried, at the Military Hospital, Malta, 23 October 1898, and was buried at the Florian cemetery.
3. *James*, born at Shewalton 11 March 1880; educated at Trinity Hall, Cambridge; second lieutenant 3rd Battalion Royal Scots Fusiliers, 27 May 1898, lieutenant 26 June 1899. He served with the 2nd battalion of that regiment, and was attached to Imperial Yeomanry, in the Boer War 1901-2 (medal and five clasps for Transvaal, Free State, Cape Colony, 1901 and 1902). Appointed second lieutenant Royal Scots Fusiliers 28 January 1903; lieutenant, 6 June 1906.
4. *John David*, born at Shewalton 8 July 1884. Educated at Winchester. Appointed second lieutenant Rifle Brigade 15 May 1906.

[1] *Gen. Reg. Sas.*, 16 November 1886. [2] *London Gazette*, 1200. [3] *Ibid.*, 2021.

5. *Alan Reginald*, born at Ayr, 8 October 1886. Educated at Haileybury.
6. *Augusta Helen Elizabeth*, born at Shewalton 25 August 1876. Married at Fairlie, 28 April 1898, to Charles Lindsay Orr-Ewing of Dunskey, M.P. (who died at Dunskey 24 December 1903), fifth son of the late Sir Archibald Orr-Ewing of Ballikinrain, Bart., and has issue.
7. *Alice Mary*, born at Shewalton, 18 December 1877. Married in London, 18 July 1901, to Colonel Charles Fergusson, D.S.O., M.V.O., Grenadier Guards, eldest son of the Right Hon. Sir James Fergusson of Kilkerran, Bart., G.C.S.I., K.C.M.G., C.I.E., and has issue.
8. *Dorothy Montagu*, born at Shewalton, 14 March 1879. Married, 25 April 1899, to the Hon. Gathorne Gathorne-Hardy, eldest son of John Stewart, Lord Medway, and grandson of Gathorne, first Earl Cranbrook, and has issue.

CREATIONS.—31 January 1699, Lord Boyle of Kelburn, Stewartoun, Cumbrae, Finnick, Largs and Dalry; 12 April 1703, Earl of Glasgow, Viscount Kelburn and Lord Boyle of Stewarton, Cumbraes, Fenwick, Largs, and Dalry, in the Peerage of Scotland; 11 August 1815, Baron Ross of Hawkhead; 23 July 1897, Baron Fairlie of Fairlie, both in the Peerage of the United Kingdom.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, or, an eagle with two heads displayed gules, for the earldom of *Glasgow*; 2nd and 3rd, per bend embattled argent and gules, as a coat of affection (for the *Earls of Burlington*): over all on an escutcheon or, three harts' horns erect gules, two and one, the paternal arms of *Boyle* of Kelburne.

CREST.—A double-headed eagle displayed, parted per pale embattled gules and argent.

SUPPORTERS.—Dexter, a savage wreathed about the loins with laurel, and carrying in his exterior hand a branch of laurel all proper: sinister, a lion rampant, parted per pale embattled argent and gules.

MOTTO.—*Dominus providebit.*

[R. E. B.]

CUNNINGHAM, EARL OF GLENCAIRN

UNNINGHAM (also spelt Cuningham, Cunigham, Cunyngham and Conyngham) as a surname, is derived from part of the district of that name in Ayrshire, which was held by the family.

WERNEBALD, the reputed ancestor of the family of Cunningham, is said to have come into Scotland in the train of Hugh de Morville the great noble who about 1140 became Constable of Scotland, and who possessed large estates comprehending the districts of Cunningham in Ayrshire, Lauderdale, and lands in the Lothians. Wernebald is said to have received from Hugh Morville the lands of Kilmaurs, and though he does not appear on record as owner, he is referred to in charters by his son[1]

ROBERT, SON OF WERNEBALD, who gave in alms to the monks of the Abbey of Kelso the patronage of the church of Kilmaurs, with a half carucate, or about fifty acres, of

[1] Douglas assigns to Wernebald two sons, *Robert*, and a Galfrid de Cunninghame, who is stated to be a witness to a charter by King Malcolm IV. to the Abbey of Scone, but the charter shows that the witness's name was Galfrid de Cunigsburgh (*Acta Parl. Scot.*, i. 365).

land belonging thereto, for the benefit of his own soul,[1] and that he might be received into the fraternity of the house; if he wished to change his life before his death, he would change it by their counsel, and he further gave to them two parts of such goods as belonged to him at his death. This grant was confirmed by the overlord Richard de Morville, and also by Ingelram, Bishop of Glasgow.[2] The latter died in 1174, and the grant by Robert must therefore be earlier. It does not appear when he died, but his name occurs in at least one charter after 1196, by King William, confirming a charter by the [deceased] William de Morville to James de Loudoun of the lands of Loudoun.[3] His wife is unknown. He is usually said to have married Richenda, daughter of Sir Humphrey de Berkeley of Garntuly, but this is very doubtful. The Robert, son of Wernebald, who was husband of Richenda, must have been of later date, as the charters granted by them are in the time of King Alexander II., and are confirmed by that King in 1238 when the husband of Richenda was still alive, she herself surviving till 1245 or later.[4] Richenda and her husband do not appear to have had children. Robert, son of Wernebald had a son.

ROBERT, SON OF ROBERT, SON OF WERNEBALD, who confirms and repeats the grant made by his father to the monks of Kelso. He also is to be received into their fraternity, and gives the same grant at his death of two-thirds of his gear. The writ is not dated, but Richard de Morville, who died in 1189, is a witness, and the grant may have been made between that date and 1174.[5] Robert, son of Robert, son of Wernebald appears also in a charter dated between 1187 and 1189.[6] Nothing further is known of him, and the next step in the pedigree is conjectural.

RICHARD DE CUNNINGHAM appears as a witness to a

[1] Paterson, *History of Ayr and Wigtown*, iii. 468, expresses surprise that Robert did not give his grant to the new monastery of Kilwinning, but he overlooks the fact that Kelso was the parent church, and it is not certain that the colony from Kelso had taken up residence. [2] *Reg. de Calchou*, i. 231-233. [3] Original at Loudoun Castle. [4] *Reg. de Aberbrothoc*, 82, 91, 198-200; Paterson *ut cit.* dates the charters by Richenda and her husband to the monks of Arbroath as between 1153-1156, more than twenty years before the abbey was founded. [5] *Reg. de Calchou*, i. 232. [6] *Reg. Epis. Glasguensis*, i. 67.

charter by Alan, son of Roland, Constable of Scotland, confirming a grant by Margaret, daughter of Adam Loccard, of one-third of Stevenston to Hugh de Crawford, dated after 1210, and before 1233.[1]

HARVEY (HERVICUS) DE CUNNINGHAM, appears to be the next on record. He is usually said to have fought at the battle of Largs in 1263, and to have had a charter from King Alexander III. of the lands of Kilmaurs in 1264. The original charter is not known to be in existence, but an old extract of it taken from the register is at Gartmore, which gives no clue either as to the granter or the date of the granting, the record not giving the witnesses. But in an old inventory of charters dated about 1579, now in the General Register House, the grant of Kilmaurs to Hervey Cunningham, called Henry in the roll, is entered with others, indisputably of the reign of King Alexander II.,[2] and this seems to fix his date. The King granted to Hervey Cunyghame the whole barony of Kilmaurs, for a reddendo of half a merk yearly in name of blench on the morrow of St. Mary Virgin, at the principal messuage of the barony. It may be noted that the King makes no reference to Harvey's father or any other ancestor having held the lands.[3] In a writ dated 13 May 1403, the then Laird of Kilmaurs, Sir William Cunningham, in erecting the church of Kilmaurs into a foundation for three presbyters, commemorates Henry de Cuninghame as the founder of the church. No other notice of Hervey Cunningham has been found, and his successor is doubtful, but may have been

EDWARD CUNNINGHAM, who is said by Nisbet to have gifted the lands of Grange to the monastery of Kilwinning.[4] He is also said to have married a daughter of the High Stewart of Scotland. A Cunningham did marry a sister of James the High Stewart, as appears from a letter from

[1] Original at Loudoun Castle. [2] The roll contains *inter alia* notes of charters to Ferquhard Ross (1230-1251) of the earldom of Ross, to Walter Comyn of the earldom of Menteith (who became Earl about 1231), and Patrick, Earl of Atholl (from 1231-1242). [3] From extract under the hand of Thomas Marjoribanks of Ratho, Lord Clerk Register, at Gartmore. [4] *Heraldry*, ii. App. 41.

Robert Felton, English Castellan of Lochmaben to King Edward I., dated in or about October 1299. He reports that Robert de Conyngham, the Scottish Constable of Carlaverock Castle, which had caused them much damage, had been slain, and his head placed on the tower at Lochmaben, adding that he was a 'vallet' of the Stewart of Scotland, 'whose sister his uncle had married,' and the Stewart was grieved at his loss.[1] Edward is said to have had two sons. The name of the eldest appears to have been *Robert*; the name of the second son is conjectural, though one authority states it was *Reginald*, and that he married the heiress of Glengarnock, and became the ancestor of the family of Cunningham of Glengarnock.[2]

Robert Cunningham appears to be the next in order. He swore fealty to Edward I. in 1296,[3] but in 1306 he joined Bruce, and his lands were requested from Edward on that ground.[4] Later, in 1321, he received from King Robert Bruce a grant of the superiority of the lands of Lambrachton or Lambroughton and Grugar in Cunningham, to be held as Alan la Zouch and William Ferrers held them.[5]

Hugh de Cunningham received from King Robert Bruce, on 24 August 1321, the lands of Lambroughtoun, now in the King's hands by forfeiture, to be held of the chief lords of the fee for the usual services.[6] On 4 July 1328 he had another charter of the lands of Polcarn or Polquhairn in

[1] *Cal. Doc. Scot.*, ii. No. 1101. 'Robert son and heir of Robert de Cuninghame' is named in a charter (about 1276) to the monks of Paisley (*Reg. de Passelet*, 59), and may have been the Constable of Carlaverock. [2] Paterson's *Ayr and Wigtown*, iii. 289. Douglas assigns to Edward two sons, *Gilbert* and *Richard*. The latter has not been found, while the references to the former show him to be a Gilbert de Cuningburgh. [3] *Cal. Doc. Scot.*, ii. 212. He is designed as of the county of Lanark, which seems to imply that he held Ranfurley in co. Renfrew, then part of Lanarkshire. All the other Cunningham lands were in Ayrshire. [4] Palgrave, 308, 314. [5] *Reg. Mag. Sig.*, fol. 11. Another Cunningham who flourished at this time was Sir James, who, about 1322, had a charter from King Robert I. of the lands of Hassendean, co. Roxburgh, for a reddendo of £11 sterling yearly (*Reg. Mag. Sig.*, fol. 5). He had, on 6 October 1318, a dispensation to marry a lady styled variously Elena Carrideby and Cantantilly (probably Quarentely) (*Papal Register, Letters*, ii. 192, 224), by whom he had issue. Before 1409 Hassendean was in possession of James Cunningham, apparently a grandson of Sir James, from whom it passed to the then Laird of Kilmaurs (*Reg. Mag. Sig.*, fol. 243). [6] Original at Gartmore.

Ayrshire.[1] Nothing more has been found regarding him, but he was probably the father of the following:—

1. Sir William.
2. *Andrew*, who had a charter from Donald, Earl of Lennox (1333-1364), of the lands of Eschend and others in Lennox.[2] He had, on 22 April 1369 and 16 January 1371-72, charters of Kyndeny or Kildinnie in Perthshire,[3] to himself and Margaret his wife, also of an annuity of £20 sterling till provided to 20 merks' worth of land. He had a charter of Kilfassane and Ballindalloch in Lennox from Malcolm Fleming, Earl of Wigtoun,[4] and is said to be ancestor of the Cunninghams of Drumquhassil and others in Lennox. He died in 1388, leaving issue:—
   (1) *Sir Humphrey*, called in charters of 1399 and 1413. His father's annuity of £20 was continued to him until 1425.[5]
   (2) *Archibald*, called in charters of 1399 and 1413 as brother of Sir Humphrey.
3. *Sir Nigel Cunningham*, Knight, who appears in a charter of David II. on 7 September 1362, as a witness to a grant by Thomas, Earl of Wigtoun on 8 February 1371-72, and had a charter from King Robert II. of the lands of West Barns in Fife, 8 December 1376,[6] may have been another brother. He had a son

   Archibald, called in the entail of 1399 cited below, who had a son

   William, called in the entail of 7 August 1413 cited below.

Sir William Cunningham, who first appears on record in a roll of Parliament of June 1344, where he is named as a surety for the friends of the late Sir Alexander Ramsay that they would keep the peace with the adherents of Sir William Douglas, Lord of Liddesdale.[7] He is next referred to on 3 February 1350-51, as paying money to the Earl of Northampton at Lochmaben, probably Crown dues from his sheriffship of Lanark.[8] He was one of those magnates whose son or brother was proposed as a hostage for King

[1] Original at Gartmore. [2] *Cart. de Lennox*, 66. [3] *Reg. Mag. Sig.*, fol. 49, 85. [4] *Cart. de Lennox*, 67. [5] *Exch. Rolls*, iii. 183; iv. 395. [6] *Reg. Mag. Sig.*, fol. 21, 114, 134. [7] Fragment of original roll of Parliament communicated by Messrs. Burnet and Baxter, W.S. [8] *Cal. Doc. Scot.*, iii. No. 1551.

David II. in 1354.[1] He had a charter, granted about 1361 or 1362, from that King of the earldom of Carrick,[2] and bore the title of Lord of Carrick for some years. He is so styled in a charter by himself granting the lands of Polcarn to James Lekprevick, confirmed by King David 5 December 1365,[3] but in 1369 he is again styled Sir William Cunningham. It is frequently stated that he got the earldom by marrying Eleanor Douglas or Bruce, Countess of Carrick, and lost it on her death, but though the lady was several times married, Sir William does not appear as one of her husbands. She was alive in 1376, when a dispensation was granted for her fifth marriage.[4] On 18 April 1369 he had a charter of the lands of Kinclevin in Perth, until provided by the King in a forty-pound land (reserving Mariota Fleming's right in the lands of Grintuly) to be held to himself and Margaret his spouse.[5] He was Sheriff of Ayr in 1376.[6] In 1385 he resigned in favour of his son, Sir William, the lands of Kilmaurs and Lambroughton, Skelmorlie, and Kilbryde, in Cunningham and Polquharn in Kyle, confirmed by King Robert II. at Arneil on 22 May 1385.[7] He was still alive in December 1396, and died between that date and July 1399.[8] He had issue:—

1. ROBERT, who in 1357 was one of the hostages for King David II.[9] In or about 1346 he had a charter of Garvard and other lands in Argyllshire.[10] He died, apparently without issue, some time before 1385, when his younger brother William was apparent heir to their father.
2. SIR WILLIAM, who succeeded.
3. *Thomas*, who, on 9 May 1385, received from his father, with consent of his then eldest brother Sir William, a charter of the lands of Badlane or Baidland in the holding of Dalry, barony of Conygham and sheriffdom of Ayr. The lands were to be held of the Laird of Lyne in Dalry for a reddendo of a silver penny in name of blench, payable on the feast of St. Margaret Virgin, 20 July, at the parish church of Dalry if

[1] *Cal. Doc. Scot.*, iii. No. 1576. [2] *Reg. Mag. Sig.*, fol. 23. [3] *Ibid.*, 40. [4] *Douglas Book*, i. 215. [5] Original at Gartmore. [6] *Exch. Rolls*, ii. 530. [7] Original at Gartmore. [8] *Ibid.*, see below. [9] *Cal. Doc. Scot.*, iii. p. 434. [10] Robertson's *Index*, 59, No. 7.

asked. If Thomas died without lawful heir of his own body, the lands were to revert to the granters.[1] He was called in his brother's charter of entail of 8 July 1399, and also in the charter of 7 August 1413, to his nephew Robert. He was ancestor of the family of Cunningham of Caprintoun, now represented by Sir William Stewart Dick-Conyngham, Bart., of Prestonfield.

4. *Alexander*, called in the charters of 1399 and 1413.
5. *John*, also named in these writs.
6. *Margaret*, married some time before 1364 to 'Fergus Macduel,' probably of Mackerstoun. On 2 January 1364 they had a dispensation to remain in marriage, notwithstanding certain disabilities, their offspring, present and future, to be legitimate.[2]

Sir William Cunningham, who succeeded, had received the honour of knighthood before 1384, the first reference to him on record.[3] He may have been the Sir William Cunningham of Kilmaurs who, in April 1385, aided in defeating and expelling a party of English invaders, stragglers from the Duke of Lancaster's army, who had attacked and partially burned the Abbey of Inchcolm in the Firth of Forth.[4] On 9 May 1385 he joined in his father's grant to his younger brother Thomas, cited above. About the same time his father resigned in his favour the lands of Kilmaurs, Lambroughton, Skelmorlie, and Kilbride in the barony of Cunningham, Polquhairn in Kyle, Ayrshire, and Ranfurley, in the barony of Renfrew, then in the sheriffdom of Lanark, a resignation confirmed by King Robert II. at Arneil on 22 May 1385.[5] In November of the same year he was one of those who shared in the 40,000 francs which the King of France sent to Scotland, the amount paid to him being 500 livres Tournois,[6] and he was one of three Scottish commissioners appointed to distribute the money. It was probably he who acted as Sheriff of Ayr in 1386.[7]

[1] Copy (taken from the original) in Gen. Reg. Ho. [2] *Papal Petitions*, i. 476. [3] Writ referred to by Paterson, *History of Ayr*, iii. 471. [4] Fordun *à* Goodall, ii. 399. It is more probable it was the younger Sir William who took part in this adventure, though his father was still Lord of Kilmaurs. [5] Original at Gartmore. [6] Rymer's *Fœdera*, vii. 485. [7] *Exch. Rolls*, iii. 682.

He was still younger of Kilmaurs on 8 December 1396, when King Robert III. granted to him the barony of Redhall in Midlothian, resigned in his favour by Sir Murdoch Stewart, afterwards Duke of Albany.[1] A little later he had a grant of the superiority of the land of Pearston, Warwickhill, Drummore, Caprington, and Warrix, in Cunningham, Ayrshire.[2] He succeeded his father some time before 8 July 1399, when he had a charter from King Robert III. of the Ayrshire and Renfrew lands enumerated above, with the additions of Redhall, Midlothian, Neve, in Forfarshire, and Hassendean in Roxburghshire, all which he resigned in the King's hands at Rothesay. They were regranted to be held to himself and the lawful heirs-male of his body; whom failing, to Thomas, Alexander, and John his brothers in succession and the heirs-male of their bodies; whom failing, to Humphrey Conynghame, Knight, his (Sir William's) cousin, then to Archibald, brother of Humphrey, and the heirs-male of their bodies; whom failing, to Archibald Conynghame, Knight, son and heir of the late Nigel Conynghame, Knight, and the heirs-male of his body; whom failing, to the lawful and nearest heirs of Sir William himself. A clause was added granting to Sir William, by the King's special favour, that this entail should be no impediment to him in assigning the lands or part of them at his pleasure.[3]

Sir William was in 1399 summoned to Parliament to answer a complaint at the instance of Thomas Boyd, but the sequel is not stated.[4] He is referred to as Sheriff of Ayr in 1406.[5] In 1409, as superior of the half-barony of Hassendean, he granted to John Turnbull the lands of Hassendean Bank which had belonged to and were resigned by James Cunningham, son and heir of Christal Cunningham, cousin of the granter.[6] He was alive on 7 August 1413, when he resigned his lands in favour of his eldest son

[1] Original writ at Gartmore. This seems to disprove the statement of Crawfurd that Redhall came to Sir William through his wife Margaret Danielston. The history of the barony of Redhall can be traced from the Menzieses to Robert, Earl of Fife, and his son, who now resigned it (Robertson's *Index*, 68; *Reg. Mag. Sig.*, fol. 128). [2] Robertson's *Index*, 140, No. 34. [3] Original at Gartmore. The lands of Neve in Forfar were, soon after, resigned by Sir William in favour of Alexander Ogilvie, Sheriff of Angus (Robertson's *Index*, 141, No. 54). [4] *Acta Parl. Scot.*, i. 574, 575. [5] *Reg. Mag. Sig.*, fol. 228. [6] *Ibid.*, 243.

Robert and other heirs of entail, but apparently died before December 1415.[1]

Sir William married, first, Margaret, eldest of the two daughters and co-heiresses of Sir Robert Danielston of that Ilk.[2] With her he obtained a large accession of property, comprehending the whole or half the baronies of Danielstown, and Finlaystown in Renfrew, Kilmarnock, Dumbartonshire, and Glencairn in Dumfriesshire. She died some time before July 1409, when he had a Papal Dispensation to marry Marjory (Mary) Stewart, widow of James Kennedy, notwithstanding Margaret his first wife was related to Marjory in the second and third degrees.[3] Mary Stewart was the second daughter of King Robert III., and was widow, first, of George Douglas, first Earl of Angus, and secondly, of James Kennedy, younger of Dunure, who was killed before 8 November 1408. There is no clear evidence that the marriage with Sir William Cunningham took place, though it is not improbable. Her third or fourth marriage with Sir William Grahame is first referred to on 15 May 1416, when he and she had a charter of certain lands.[4] Sir William Cunningham is usually said to have had two sons :—

1. Robert, who succeeded.
2. *William*, who is said to be the ancestor of the family of Cunninghamhead. The only proof adduced is by Crawfurd,[5] who quotes Sir John Cunningham as noting a charter by Sir William Cunningham of Kilmaurs to his son William of the lands of Woodhall. No date is given. If this be so, however, it seems strange that in the charter of 1413 cited below his name is not given after that of his brother Robert. There was certainly a William Cunningham, Lord of Woodhall, who appears in various charters in 1415 and 1417.[6] He is said to have been father of Robert

[1] *Laing Charters*, No. 94; Cal. of Reg. Ho. Charters, 27 December 1415. [2] The other daughter Elizabeth married Sir Robert Maxwell of Calderwood, and there seems to have been a mutual division of property in 1404 (Crawfurd, 168 *note*) and on 18 October 1405 (Fraser's *Maxwells of Pollok*, i. 145, 462). [3] *Papal Registers, Petitions*, i. 639. [4] *Reg. Mag. Sig.*, 29 August 1430. *Complete Peerage* (iv. 70) assigns an exact date, 13 November 1413, for her marriage with Graham, but no proof is given, and Cunningham was still living on 7 August 1413. [5] *Peerage*, 168 *note*. [6] Cal. Reg. Ho. Charters, Nos. 244a, 247a, 249.

Cunningham of Cunninghamhead. On 13 May 1448 William de Fergushill of that Ilk leased his lands of Cunninghamhead, co. Ayr, to Robert Cunningham of 'Benalla' or Bonaly, and Marion Lockhart his wife, for five years.[1] On 18 February 1461-62 Robert was infeft in the lands on the resignation of William Fergushill,[2] and thereafter is styled of Conynghamhead. But the proof that William Cunningham of Woodhall was a son of Sir William is wanting, and it is possible he may be identical with the William, son of Sir Archibald, named last in the entail of 1413, cited below.

3. Sir William had also a natural son *John*, who in a writ of 27 December 1415 is described as 'natural son of the late Sir William Cunningham, Lord of Kilmaurs.'[3]
4. Another natural son appears to have been Mr. *William* Cunningham, designed son of the late Sir William Cunningham, Lord of Kilmaurs, in a deed of 1 March 1418 by himself, mortifying certain tenements in Irvine for prayers at the altars of St. Catharine and St. Ninian in the parish church of Irvine for himself, his father, and *Agnes* his mother. He was vicar of Dundonald and a Canon of Glasgow.[4]

Sir Robert Cunningham of Kilmaurs, the eldest son, had on 7 August 1413 a charter by Robert, Duke of Albany, of the lands of Kilmaurs, Lambrachtown, Kilbride, Skelmorlie, Polquharn, Redhall, Hassendean, and Ranfurly, co. Renfrew, resigned by his father Sir William, to be held to Robert himself and the heirs-male of his body, whom failing, to his father Sir William, whom failing, to Thomas, Alexander, and John, his (Sir William's) brothers, whom failing, to Sir Humphrey Conynghame, and Archibald his brother (Sir William's cousins), whom failing, to William of Conynghame, son of the late Sir Archibald Conynghame, Knight, whom all failing, to Sir William's nearest lawful heirs; reserving Sir William's liferent in the lands.[5] Sir

[1] Cal. Reg. Ho. Charters, No. 314b. [2] *Ibid.*, No. 365. [3] *Ibid.*, No. 244a. [4] Original writ and a similar deed, 26 July 1426, at Irvine. [5] *Laing Charters*, No. 94, in the index to which work Sir Humphrey and Archibald are described as cousins of Robert, but the previously cited charter of 1399 shows they were cousins of Sir William.

Robert was one of those magnates who went to meet King James I. at Durham as hostages for his deliverance 3 February 1423-24.[1] He was knighted by the King at his coronation on 21 May 1424, and was one of the jury on the trial of Murdach, Duke of Albany, 1425.[2] He was one of four chiefs despatched shortly afterwards on an expedition to Loch Lomond against James Stewart, son of Duke Murdach, who had caused a disturbance there, and burned the town of Dumbarton.[3] Sir Robert and Sir Alexander Montgomery of Ardrossan had a joint commission for governing and defending Kintyre and Knapdale 10 August 1430.[4] On 31 January 1448 King James II. granted to Sir Alexander Montgomery the heritable office of Bailie of the King's barony of Cunningham, formerly held by Sir Robert, a grant which gave rise to the long and bitter feud between the Cunninghams of Kilmaurs and the Montgomeries.[5] He married, contract dated 16 June 1425, Anne, only daughter of Sir John de Montgomery of Ardrossan, and had two sons:—

1. ALEXANDER.
2. *Archibald*,[6] who had a charter from his brother Alexander, Lord Kilmaurs, of the lands of Watertoun 27 April 1458, confirmed by charter under the Great Seal 16 November 1478.[7]

I. SIR ALEXANDER CUNNINGHAM of Kilmaurs succeeded his father before 20 March 1450-51, when as Lord of Kilmaurs he granted to the friars preachers of Glasgow a yearly sum of four and a half merks from the lands of Finlaystoun for masses on behalf of his grandfather and grandmother.[8] He was in the train of King James II. while on his expedition to the south country against James, ninth and last Earl of Douglas, in July 1452. Upon the 18 of that month, within the tent of the Lord Chancellor of Scotland (Crichton), Alexander Cunningham of Kilmaurs resigned into the King's hands his lands of Kilmaurs, etc., in the sheriffdom of Ayr, whereupon, after pause, the King granted and gave the said lands to Alexander and his heirs,

[1] *Cal. Doc. Scot.*, iv. 190. [2] Fordun *à* Goodall, ii. 483. [3] *Ibid.*, 484; *Exch. Rolls*, iv. 91. [4] *Memorials of the Montgomeries*, ii. 27. [5] *High Treasurer's Accounts*, i. 9. [6] *Registrum Glasguense*, 413; *Laing Charters*, 34. [7] *Reg. Mag. Sig.* [8] *Mun. Frat. Predicatorum de Glasgu.*, 169.

in free barony, to be called Kilmaurs. He further resigned the lands of Kilmaronok in Stirling, Finlaystoun in Renfrew, Glencairn in Dumfries, and Hilton in Berwick, which were again granted to him and his heirs, whom failing, to his brother Archibald.[1] Sir Alexander acted as Bailie of Cunningham in 1458.[2] Sir Alexander was subsequently accused of having dealings with the traitor Earl of Douglas, and on 13 January 1463-64 he complained to the King in Parliament that there was a rumour that he had assisted James of Douglas, notwithstanding a letter of 8 February 1462-63 from the King declaring him innocent. He then offered purgation by an assize of his peers, by the purgation of 100 knights and esquires, or to defend himself according to the laws of arms. Parliament declared him innocent.[3]

That is the first reference to him as LORD KILMAURS, a dignity to which he had been raised between 8 February 1462-63, the date of the royal letter, where he is styled Alexander Cunynghame, Lord of Kilmaurs, and 13 January 1463-64, when as Lord Kilmauris he complained in Parliament.[4] He witnessed a charter 'Alexander Dominus Kilmauris' on 15 October 1464, and had a charter as Alexander Dominus de Kilmaweris of his lands of Drips, in the lordship of Kilbride, co. Lanark, 13 January 1477-78.[5] He sat continually in Parliament as Lord Kilmaurs from 1464 to 1488.[6] In 1488 a great part of the Scottish nobles rebelled against James III., and on the second February 1488 the prince his son, then about sixteen years of age, left Stirling Castle and joined the rebels.[7] Lord Kilmaurs, who was then very powerful, brought his forces to aid the King's party, and assisted in the defeat of the rebels at Blackness. Probably in return for this service, and as a mark of royal favour, Lord Kilmaurs was, on 28 May 1488, advanced to the dignity of EARL OF GLENCAIRN by royal charter,[8] in which he is designated Alexander, Earl of Glencairn and Lord Kilmaurs. The words used are 'facimus et creamus eundem nostrum consanguineum Comitem in exaltationem sui honoris, perpetuis futuris temporibus Comitem de Glen-

[1] *Laing Charters*, Nos. 134, 136. [2] *Exch. Rolls*, vi. 428. [3] *Acta Parl. Scot.*, Supp. 29. [4] These dates seem clearly to fix the year of his creation, which has hitherto been uncertain. [5] *Reg. Mag. Sig.* [6] *Acta Parl. Scot.*, ii. 12. [7] *Ibid.* [8] Kilkerran Family Papers.

cairn et Dominum de Kilmauris nuncupandum.'[1] In support of this honour, the King, by the same deed, granted the thirty-pound lands of Drummond and the ten-pound lands of Duchray, in the earldom of Lennox, to be held to the Earl and his heirs and successors for ever.[2] It was upon this charter that Sir Adam Fergusson of Kilkerran founded his claim to the title of Earl of Glencairn, when, on the death of John, fifteenth Earl, 24 September 1796, the whole male descendants of William, twelfth Earl, failed.

After the battle of Blackness a proposal was made for a treaty between the opposite parties, and articles were drawn up for that purpose. These articles were not observed. The prince's party now accused the others of having entered into a treaty with England.[3] The war broke out again, and on 11 June 1488 the King was killed in a battle against his rebels at Sauchieburn near Stirling, and with him fell Alexander, the newly-created Earl of Glencairn.

Alexander, first Earl of Glencairn, married Margaret, daughter of Adam Hepburn, Lord of Hailes, and by her had four sons:—

1. Robert, second Lord Kilmaurs.
2. *William* of Craigends, ancestor of that family, and said to be ancestor of the Cunninghams of Robertland, Carncurin, Bedlaw, Auchinharvie, and Auchinyards. On 23 August 1477 his father granted 'filio suo carnali Wilelmo Cunyngham propter carnalem affectionem quam habet erga ipsum,' an annualrent of 15 merks from the lands of Walterston in Kilbarchan parish; and on 4 February 1478-79 he received from his father a charter of the lands of Craiganys (Craigends) in the lordship of Ranfurley.[4]
3. *Alexander*.
4. *Edward*, both mentioned in a charter of 1483.[5]

II. Robert, second Lord Kilmaurs, had sasine of the whole barony of Reidhall in the sheriffdom of Edinburgh 30 January 1482-83.[6] As Master of Kilmaurs he was

[1] Maidment's *Reports*, App. vi. 93. [2] On 3 June 1488 sasine of these lands was given to Alexander, Earl of Glencairn, in terms of the King's precept. *Laing Charters*, No. 198. [3] *Acta Parl. Scot.* [4] Original Writs of Craigends. [5] *Reg. Mag. Sig.*, 25 February 1483-84. [6] *Laing Charters*, 188.

present in Parliament 1484.[1] On the accession of King James IV. his first object was to void the later grants made by his father, and accordingly on 17 October 1488 it was enacted *inter alia* that all creations of new dignities granted since 2 February preceding (1487-88) by the deceased King were annulled. In virtue of this statute, Robert, the son of Alexander, Earl of Glencairn, was deprived of the dignity of an earldom conferred on his father. He sat in Parliament as Lord Kilmaurs 1489,[2] but died before 1492. He married Christian, eldest daughter of John, first Lord Lindsay of Byres,[3] relict of John, Master of Seton. This marriage took place before 19 July 1476, when an action was determined against Robert Cunningham and his wife respecting part of the rent of Winchburgh, belonging to Lord Seton. He was succeeded by his son,

III. CUTHBERT, third Lord Kilmaurs, and second Earl of Glencairn, had sasine of Kilmaurs, Lambroughton, Skelmorlie, Polquhairn, Skeldon, and of Hilton 1492, Hassenden, Brieryardis, Drupps, Redhall 1495,[4] and in a charter to William his son, dated 6 November 1498,[5] he is also styled Cuthbert, Lord Kilmaurs. He had charters to 'Cuthbert, Lord Kilmaurs,' of the lands of Drumalin and Adintoun in Lanarkshire, on the resignation of George Douglas, son and heir-apparent of Archibald, Earl of Angus, 25 June 1492.[6] Lord Kilmaurs appears to have been restored to the rank of Earl at the marriage of Margaret of England with James IV. of Scotland in 1503. John Young, Somerset Herald (who attended the Princess to Scotland) records that on Sunday, 13 August of that year, three noble lords were made Earls in the Queen's presence. They were presented to the King by Marchmont Herald, took the oaths, and the King 'girdled them with the sword above their shoulders, and gave them their lordships, to them and to their heirs.' One of these was Lord Kilmaurs, now proclaimed as 'Cuthberd, Comte de Glencarne, Lord de Kylmarres, Baron Banerett, and Lord of Parliament.'[7] This statement is so far corroborated by the fact that the Earl sat in Parlia-

[1] *Acta Parl. Scot.*, ii. 167a. [2] *Ibid.*, ii. 216b. [3] *Acta Aud.* 54, 167. [4] *Exch. Rolls*, x. 764-770. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] Leland's *Collectanea*, iv. 300. The two other Earls thus created were James Hamilton, Earl of Arran, and William Grahame, Earl of Montrose.

ment as such on 18 November 1505.[1] He had also a charter to Cuthbert, Earl of Glencairn, and Lord Kilmaurs of the lands and barony of Hiltoun in Berwickshire 7 February 1507-8,[2] and the barony of Hassindean in Roxburghshire 27 February 1510-11,[3] and to him and Marion Douglas his wife in liferent, and William their son and heir, and his heirs, of the earldom and barony of Glencairn 24 July 1511.[4] On 20 January 1515 he had sasine of the lands of Drummond and Duchray, which had been in nonentry for twenty-seven years,[5] and which had originally been confirmed upon his grandfather by King James II. by the same charter which raised him to the earldom of Glencairn (p. 234). He joined the Earl of Lennox in his unsuccessful attempt to win King James V. from the power of the Douglases, and was wounded after fighting bravely at the battle of Linlithgow on 4 September 1526.[6] He died between May 1540 and May 1541, when his son is styled Earl.[7] He married (contract dated 24 June 1492) Marion, daughter of Archibald Douglas, fifth Earl of Angus,[8] and had issue, so far as known, one son:—

WILLIAM, who succeeded.

IV. WILLIAM, third Earl of Glencairn, had, as son and heir-apparent of Cuthbert, Lord Kilmaurs, a charter 6 June 1498, on his father's resignation, of the lands and barony of Kilmaurs, the lands of Skelmorlie and others in the county of Ayr, together with many other lands in the counties of Renfrew, Stirling, Dumbarton, Lanark, Dumfries, Edinburgh, Selkirk, and Berwick, to himself and his heirs-male of entail with the reservation of his father's liferent and his mother's terce;[9] on 10 July 1499 he had another, as Sir William Cunninghame, Knight, of Redhall, co. Edinburgh, and Langlands, co. Ayr, to himself and his wife, and of the Castle of Kilmaurs to himself and his heirs-male of entail, with a similar reservation of the terce of the lands to his mother.[10] On 24 July 1511 he had, along with his father and mother, a charter of the earldom and barony of Glencairn as above mentioned. He appears very frequently in

[1] *Acta Parl. Scot.*, ii. 259. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] *Ibid.* [5] *Exch. Rolls*, iv. 580. [6] *Pitscottie's Chronicle*, Scot. Text. Soc., i. 320. [7] *Reg. Mag. Sig.*, 12 June 1540; Hamilton Papers, i. 73. [8] The *Douglas Book*, iii. 131-134. [9] *Reg. Mag. Sig.* [10] *Ibid.*

the Register of Great Seal charters both as the granter and grantee of lands; but it is not till 5 August 1541, in a charter from the King to his second son, that he is styled Earl of Glencairn, having succeeded some time before May of that year. On 25 June 1526 he got a commission as Lord High Treasurer, the term of his appointment being for four years. But his father having joined the Earl of Lennox as already stated, he became obnoxious to Angus, and was summarily deprived of his office.

The Earl of Glencairn was one of those taken prisoner at the rout of Solway, and committed to the custody of the Duke of Norfolk, but was released on the payment of a ransom of £1000, and signing an agreement with the English King to promote a match between his son Edward and the infant Scottish Queen. The real purpose of Henry was, no doubt, to get absolute dominion over Scotland, and Glencairn seems to have embraced the English cause with much fervour. On 4 May 1543 he had a commission to treat for peace with England, and for the marriage of Edward and Mary,[1] treaties which were confirmed on 25 August.[2] The Earl was no half-hearted supporter of Henry, and it is said that in connection with an invasion of Scotland contemplated by Henry, he undertook to convey his army from Carlisle to Glasgow without stroke or challenge.[3] On 17 May 1544 a treaty was entered into between the English King and the Earls of Lennox and Glencairn, by which the last-named and his son were to receive ample pensions, and on their part they undertook to have the King appointed Protector of Scotland, and deliver the Queen and country into his hands.[4] Glencairn was, however, opposed in arms by Arran at the head of a large force, completely defeated in an engagement near Glasgow, where his second son was killed, and he was compelled to take refuge in England.[5] But the intrigues of Glencairn and his associates at this time are matters more for the historian than the genealogist. It is sufficient to say that he obtained on 12 December 1544 a remission to himself and his adherents for all crimes of treason committed previous to that date,[6] and died about four years after-

[1] *Fœdera*, xiv. 781, 783. [2] *Ibid.*, xv. 4, 5. [3] Sadler, 1-156. [4] *Fœdera*, xv. 22. [5] *Diurnal of Occurrents*, 32. [6] *Acta Parl. Scot.*, ii. 450.

wards, soon after March 1547-48.[1] He married, first, before 10 July 1509, Catherine, daughter of William, third Lord Borthwick.[2] He married, secondly, after January 1535-36, Elizabeth, daughter and heiress of John Campbell of West Loudoun,[3] and widow successively of William Wallace of Craigie[4] and Robert, fourth Lord Crichton of Sanquhar.[5] He had issue by both marriages:—

1. ALEXANDER, fourth Earl of Glencairn.
2. *Andrew.* He had several charters to himself and his wife of the lands of Cuttiswray, Corsehill, and others, co. Ayr.[6] Fell in an engagement with Arran near Glasgow 1544.[7] He was forfeited for heresy in 1538, but restored. He married Margaret Cunningham, of the family of Polmaise, with issue:—

   (1) *Cuthbert*, married Maud, daughter of John Cunningham of Aiket, and died 1575, leaving issue:—

      i. *Patrick*, a minor when his father died; was concerned in the slaughter of the Earl of Eglinton 1586, and was himself killed by the Montgomeries in 1588.

      ii. *Alexander*, succeeded his brother in Corsehill, married Marion, daughter of William Porterfield of that Ilk and Duchal; died May 1646, leaving issue:—

         (i.) *Alexander*, had a special service to his father in Cutteswray, Corsehill, etc., 17 September 1646; married Mary, daughter of John Houstoun of that Ilk, and died about 1667. He had issue:—

            a. Alexander.

            b. Mr. Cuthbert of Cockilbie.

            Alexander, married Anna, daughter of John Crawford of Kilbirnie. He had a son

            (*a*) *Alexander*, who married Mary, daughter of John Stewart of Blackhall. He was created a Baronet 26 February 1673, with remainder to heirs-male of his body. The present Sir Thomas Montgomery Cunninghame (1906) is his representative, and in default of any nearer heir-male would be heir-male of the earldom.

3. *Hugh* of Watterstoun, which his father seized in a

[1] Cf. *Laing Charters*, Nos. 525, 555, 599. [2] *Reg. Mag. Sig.*, at date; also 28 August 1528; cf. ii. of this work, 107 *n.* [3] *Reg. Mag. Sig.*, 18 December 1544. [4] *Ibid.*, 1 June 1537. Vol. iii. 226. [6] *Reg. Mag. Sig.* [7] Ms. Pedigree Lyon Office.

forcible manner from Ninian Cunningham, the former owner, some time before 1541.[1] He was ancestor of the Cunninghams of Carlung.

4. *Robert* of Montgrenane. He witnessed a charter of his grandfather Cuthbert 23 May 1540,[2] and under the designation of Robert Cunynghame of Davidstoun had, together with his wife Mariota, a charter of the lands of Montgrenane 12 May 1546.[3] He was minister of the Priory of Faill or Failford in Ayrshire, and Provincial of the Order of the Holy Trinity.
5. *William*, born in 1513, Bishop of Argyll. He was provided to that bishopric on 7 May 1539, being then aged twenty-six,[4] though he was apparently never consecrated. On 30 April 1540 he granted a charter to his brother Hugh.[5] On or about 25 May 1557 he was elected Dean of Brechin.[6] He is styled Dean of Brechin and Bishop of Argyll on 11 May 1559, in an action relating to the lands of Easter Hassendean and others, when his brother Alexander, Earl of Glencairn, appeared as his assignee.[7] He died before 26 February 1561-62, when a Ninian Cunningham was his executor.[8]
6. *Elizabeth*, married to Sir John Cunningham of Caprington.
7. *Jean*, married Robert Fergusson of Craigdarroch.[9]

V. ALEXANDER, fourth Earl of Glencairn, had a charter, 26 November 1526, to himself and his affianced spouse Janet Hamilton, of the lands of Crosby and others in the Lennox. He succeeded to his father after March 1547-48, or at least about two years before 13 December 1549, when a precept was issued for infefting him as heir to his father in Stevenston and other lands.[10] He had a charter on 20 July 1551 of the lands of Craigbait and others, co. Renfrew, which belonged to Lord Lyle. On 29 October 1551 he was infeft in the extensive lands of Ranfurly Cunningham, and on

[1] See story by the aggrieved party. Protocol Book of John Crawfurd, ff. 30, 31. [2] *Reg. Mag. Sig.*, 12 June 1540. [3] Confirmed 23 May, *ibid.* [4] Brady's *Episcopal Succession*, i. 161. [5] *Reg. Mag. Sig.*, 22 January 1572-73. [6] *Acts and Decreets*, xv. 2. [7] *Ibid.*, xix. 427. [8] *Acts and Decreets*, xxiii. 153. [9] *Records of Clan and Name of Fergusson.* [10] *Laing Charters*, No. 555.

4 June 1552 in the barony of Kilmaurs.[1] He had also a grant on 8 December 1552 of the lands of Berstoun and others in the lordship of Kilmaurs on the resignation of David Cunningham of Robertland, and on 2 January 1564-65 he had a charter to himself and his second wife Janet Cunningham of the Mains of Lambrochtoun in the barony of Kilmaurs. He was a prominent supporter of the Reformation, and an adherent of the English party in Scotland, receiving, along with his father, a pension from Henry VIII. after the agreement entered into between Earl William and Lennox on 17 May 1544, by which they acknowledged Henry as Protector of Scotland.[2] In 1550 he was in France in the suite of the Queen Dowager, who was on a visit to her daughter Mary. While Knox was in Scotland, at the Easter of 1556, the Earl invited him to his house at Finlayston, where he dispensed communion to the family and some friends. In 1559, when a conflict was imminent near Perth between the party of the Congregation and the French troops of the Regent, Glencairn turned the scale by appearing at the head of 2500 men, and matters were for the time peacefully arranged. He was one of those who signed the treaty of Berwick in 1560, and united his forces to those of the English army which entered Scotland in that year. He joined the Queen at Dunbar after the murder of Rizzio, but subsequently became one of her chief opponents: after she was sent to Lochleven it was Glencairn who, with his adherents, pillaged the chapel of Holyrood, demolishing much fine stone-work, tearing down the altar, and generally completing the damage which had no doubt been begun by the English troops under Hertford. He commanded a division at the battle of Langside in 1568, and continued to take part in public affairs till his death.

This event has been stated[3] to have taken place on 23 April 1574, but on 2 December of that year the Earl was alive, as he appears as a consenting party to a charter of that date by his son Alexander, the Commendator of Kilwinning. He was dead, however, before 8 March 1574-75, at which date the charter was confirmed.[4]

[1] *Laing Charters*, Nos. 583, 586, 599. [2] *Fœdera*, xv. 23. [3] *Dict. Nat. Biog.* [4] *Reg. Mag. Sig.* His testament (of date 9 April 1574) was confirmed on 26 March 1575, and he is said to have died in 1574, but the month is not stated (Edin. Tests.).

The Earl married, first, about 1526, Janet, daughter of James Hamilton, first Earl of Arran. She was divorced from him before 11 July 1545, and she obtained from her husband and his father on 8 December 1552 three charters confirming to her certain lands and liferents in which she is styled '*olim* conjux Alexandri magistri de Glencarne.'[1] He married, secondly, Janet or Jane, daughter of Sir John Cunningham of Caprington; he granted her a charter 'in ejus pura virginitate' 22 January 1549-50,[2] of the lands and barony of Stevenston. She survived the Earl.

By his first marriage he had issue:—

1. WILLIAM, fifth Earl of Glencairn.
2. *Andrew* of Syid,[3] who is named in writs of 1555 and 156–.[4] He also witnessed a charter of his father 26 May 1574.[5]
3. *James*, Prior of Lesmahagow.
4. *Margaret*, married, first, to John Wallace of Craigie;[6] and secondly, between August 1570 and February 1572-73, as his second wife, to Lord Ochiltree.[7]

By his second marriage the Earl had:—

5. *Alexander*. He was made Commendator of Kilwinning 1578,[8] and was also prebendary of the prebend of Cherrytrehauch in the collegiate church of Kilmaurs. He had much strife with the Earl of Eglinton, and the latter actually garrisoned the steeple of the abbey with a hundred men against the Commendator.[9] For many years the Privy Council endeavoured to keep the peace between these two enemies. It has been stated that the Commendator was killed by Robert Montgomerie of Skelmorlie in a fray in 1582,[10] but this is not the fact. Hugh, fourth Earl of Eglinton, was slain by a party of the Cunninghams in 1586, and in March 1587-88 the Commendator complained to the Council that some of the Montgomeries had been lying in wait for his slaughter before his house of Montgrenane.[11] This may have been quite true, and he may have met his fate in the way he feared;

[1] *Reg. Mag. Sig.* [2] Confirmed 1 March 1549-50, *ibid.* [3] Protocol Book of William Houston, Dumbarton. [4] *Laing Charters*, Nos. 636, 725. [5] *Reg. Mag. Sig.*, 27 May 1574. [6] *Ibid.*, 8 August 1552. [7] *P. C. Reg.*, ii. 161. [8] *Ibid.*, iii. 1. [9] *Ibid.* [10] Fraser's *Eglinton Book*, i. 156. [11] *P. C. Reg.*, iv. 256.

he was certainly dead by March 1598-99, when his son James of Montgrenane is summoned, together with other Cunninghams and Montgomeries, before the Council in the matter of the feud.[1] He married in 1582[2] Jean, daughter of John Blair of that Ilk.[3] They had a charter from Hugh Cunningham of Waterston of the lands of Montgrenane 10 November 1582.[4] She married, secondly, in 1593,[5] John Stewart of Ardmaloch, Sheriff of Bute.[6]

William, witness to a sasine 21 April 1613.[7]

6. *Janet*, married, first, as his second wife (contract 8 August 1573), to Archibald, fifth Earl of Argyll, and bore a son (posthumous), who died at birth;[8] and secondly (contract 15 May 1583),[9] to Sir Humphrey Colquhoun of Luss. She did not long survive her second marriage, dying before 6 January 1584-85.[10]

VI. WILLIAM, fifth Earl of Glencairn. On 24 August 1549 he had a charter from his father to himself and his wife of certain lands in the earldom of Glencairn.[11] He was a member of the Privy Council as Master of Glencairn as early as 1569; his first appearance on that body as Earl is in November 1575.[12] He was dead before 18 October 1580, when his son James was sworn in as a Privy Councillor under the title of Earl of Glencairn.[13] He married (contract 20 August 1547) Janet Gordon, daughter of Sir John Gordon of Lochinvar,[14] and had by her:—

1. JAMES, sixth Earl of Glencairn.
2. *John* of Ross; he is mentioned in a MS. genealogy of the family.[15] He witnessed a sasine in favour of his brother James 9 July 1576,[16] and he had a sasine from his brother the Earl 2 May 1581;[17] his son *James* appears as a substitute in an entail of the lands of Kilmaronok by William, eighth Earl as

[1] *P. C. Reg.*, v. 540. [2] Blair Charter-chest. [3] *Reg. Mag. Sig.*, 14 August 1591. [4] Confirmed 2 March 1582-83, *ibid.* [5] Blair Charter-chest. [6] Cf. vol. ii. 293. [7] *Reg. of Sas., Irvine.* [8] 30 June 1574, *Calendar of Scottish Papers*, v. 13. [9] *Chiefs of Colquhoun*, i. 142. [10] *Ibid.*, 145. [11] Confirmed 30 August 1549, *Reg. Mag. Sig.* [12] *P. C. Reg.*, ii. 16, 470. [13] Kenmure Charter-chest. [14] Fun. Escut. of Duchess of Hamilton, Lyon Office. [15] Cf. *Notes and Queries*, 6th ser. viii. 517. [16] Protocol Book of William Houston. [17] Protocol Book of Walter Watson, Dumbarton.

Master of Glencairn.[1] Douglas confuses this John with his nephew of the same name.

3. *William*, rector of Inchcailleoch, Loch Lomond, witnessed a sasine 26 March 1603.[2] On 5 January 1626 William Cunningham, brother-german of James, Earl of Glencairn, and prebendary of Bullahill [Bonhill] and Fluris, in the collegiate church of Kilmaurs, granted a precept of clare constat to Alexander Cunningham of Waterston of certain lands in Kilmaurs.[3]
4. *Jean*, married, first (contract 15 February 1572), to George Haldane of Gleneagles;[4] he died before October 1574, and she was married, secondly, after 15 August 1577, to Thomas, son and heir-apparent of Roger Kirkpatrick of Closeburn; on that date she had with him, as his future spouse, a charter from the King of the lands of Auchenleck, co. Dumfries, 'in ejus viduitate.'[5]
5. *Katherine*, married to Robert Fergusson of Craigdarroch.[6]
6. *Margaret*, married to Sir Lachlan More Maclean of Duart.
7. *Elizabeth*, married, first, to James Crawford of Auchinames; and secondly, before 19 July 1597,[7] to Alexander Cunningham of Craigends.
8. *Susanna*, married to John Napier of Kilmahew, co. Dumbarton.

VII. James, sixth Earl of Glencairn. He had a charter along with his wife on 10 June 1576 from John Betoun of Capildra of the Over Mains of Duchal, co. Renfrew.[8] On 5 June 1581 he had, along with his wife, a royal charter of the lands and barony of Stevenstoun, co. Ayr, on the resignation of his granduncle, the Commendator of Kilwinning.[9] He was one of the 'Ruthven Raiders' of 1582, but was exonerated from his complicity in the plot,[10] and retained his seat in the Privy Council, which he had held

[1] *Reg. Mag. Sig.*, 3 June 1614. [2] Protocol Book of William Watson; Glencairn pedigree at Caprington. [3] *Reg. of Sasines, Irvine.* [4] *Reg. Mag. Sig.*, 14 October 1574, but put in a note after 27 March 1594-95. [5] *Reg. Mag. Sig.* [6] Craigdarroch MS. cited in *Records of the Clan and Name of Fergusson*, 378, 386. [7] *Reg. Mag. Sig.* [8] *Ibid.*, 8 November 1577. [9] *Ibid.* [10] *P. C. Reg.*, iii. 506, 519.

since 18 October 1580.[1] He was much involved in the feud between his family and that of the Earl of Eglinton, and there are constant references to it in the proceedings of the Privy Council. At the 'Red Parliament' of Perth in 1606 the two Earls and their attendants came into collision and fought for a long summer evening. 'It lasted fra seven till ten hours at night with great skaith,' and one at least of Glencairn's people was killed. It was not till 1609 that the various parties to the feud were reconciled before the Council.[2] He must have led a stirring and argumentative life, as there are numerous references in the Council Records to his quarrels and troubles with his neighbours. Notwithstanding this, the Earl took a leading and useful part in the public business of the day. He was diligent in his attendance on the meetings of the Council, and was retained on that body when it was reconstituted in 1610.[3] In March 1630 he consented to a resignation by his wife of certain lands in Berwickshire,[4] and was served heir to William Cunningham *abavus abavi*, Alexander, Earl of Glencairn *proavus proavi*, and William, Master of Glencairn *proavus*, but died shortly after that date, probably in October 1631.

The Earl married, first, at Perth, 5 September 1574,[5] daughter of Colin Campbell of Glenurquhy by his second wife Catherine Ruthven.[6] She died January 1610, and he married, secondly (contract dated at the Castle and Canongate of Edinburgh 8 September and 12 October 1610), Agnes, daughter of Sir James Hay of Kingask, and widow of Sir George Preston of Craigmillar.[7]

By his first marriage he had issue:—

1. WILLIAM, seventh Earl of Glencairn.
2. *John*. He is mentioned as a substitute in the entail of Kilmaronok of 1614 afterwards referred to; but on 28 August 1622 he had a charter to himself and his wife and the heirs-male of his body, whom failing, to his elder brother, Lord Kilmaurs, whom failing, to the other heirs mentioned in the entail of 1614 of certain lands which were to be liferented by his

[1] *P.C. Reg.*, 327. [2] *Ibid.*, viii. 263, 292, 583; see also vol. iii. 444 *ante*. [3] *Ibid.*, viii. 414. [4] *Ibid.*, 13 March 1630. [5] *Reg. of Marriages*, Perth, printed in *Scot. Antiquary*, iv. 40. [6] *Reg. Mag. Sig.*, 26, confirmed 27 May 1574. [7] *Ibid.*, 27 November 1610.

wife, and to himself of the mains of Kilmaronok and the island of Inchcailleoch in Loch Lomond; all which were then erected into the barony of Kilmaronok.[1] On 25 April 1627 he had a charter to himself, his wife, and his son John of the lands of Cambuskeith, co. Ayr.[2] On 28 July 1627 he resigned the barony of Kilmaronok in favour of the Duke of Lennox.[3] He married Margaret, daughter of Knox of Ranfurlie, and had a son *John* as above mentioned, and one daughter *Elizabeth*, married to Sir Alexander Cunningham of Robertland.

3. *James*. He had a charter of the lands and barony of Stevenstoun and Kerilaw, which were apprised from his father 8 August 1612.[4]
4. *Jean*, contracted to John, fifth Earl of Cassillis, but died 'in her virginite' 23 November 1597.[5]
5. *Catherine*, married (contract 24 March 1612) to Sir James Cunningham of Glengarnok.[6]
6. *Margaret*. As the 'future spouse' of James Hamilton of Evandale, son and heir of James Hamilton of Liberton, she had a charter of the liferent of the lands of Crawfordjohn and others 23 December 1597.[7] She must have been divorced from her husband, who was alive in 1611,[8] as in a charter of 28 August 1610 she is described as the 'future spouse' of Sir James Maxwell of Calderwood.[9] She had certainly led a very unhappy life with her first husband, as she speaks in her will of the 'crosse of an unloving husband who proved most unnatural to me.'[10] She was therefore no doubt glad to marry, as his third wife, on 8 September 1610, Sir James Maxwell. She had issue by both marriages, and it is a curious fact that her eldest daughter by her first husband, Jean Hamilton, was married to James Maxwell, afterwards the first baronet of Calderwood, the second son by his second wife of Margaret Cunningham's second husband.
7. *Ann*, married (contract 30 January 1603) to James Hamilton, Lord Arran, afterwards second Marquess of

[1] *Reg. Mag. Sig.*, 28 August 1622. [2] Confirmed 27 April 1627, *ibid.* [3] *Ibid.*, 7 March 1628. [4] *Ibid.* [5] M. I. at Kilmaurs. [6] *Reg. Mag. Sig.*, 12 February 1613. [7] Confirmed 5 December 1609. [8] *Ibid.*, 11 July 1611. [9] *Ibid.*, 8 September 1610. [10] *Maxwells of Pollok*, i. 477.

Hamilton. He died in 1625, and she long survived him, and became an enthusiastic supporter of the Covenanters.

8. *Mary*, married to John Crawford of Kilbirnie.
9. *Susanna*, married, after 24 July 1610, when she is styled his 'future spouse,' to Alexander Lauder, eldest son and heir of Alexander Lauder of Hatton.[1]

VIII. WILLIAM, seventh Earl of Glencairn. As Lord Kilmaurs and Master of Glencairn he had, 3 June 1614, a charter of the lands and barony of Kilmaronok and other lands on the resignation of his father, to himself and the heirs-male of his body, then successively to John his brother, to James the son of John Cunningham of Ross, to James Cunningham of Montgrenane, to William his brother, to Alexander Cunningham of Corsehill, to Alexander Cunningham of Waterston, and the heirs-male of their bodies.[2] He had charters of the lands of Duncryne, co. Dumbarton, 10 May 1620 and 26 April 1621, and another on the latter date of the barony of Hassendean, co. Roxburgh.[3] He was dead before 3 March 1635, when he is styled 'quondam' in a charter of the lands of Bonaly and others to Adam Cunningham of Woodhall, advocate.[4] He married, before 20 July 1614[5] Janet, second daughter of Mark, first Earl of Lothian, and had issue by her:—

1. WILLIAM, eighth Earl of Glencairn.
2. *Colonel Robert*, who had on 2 January 1647 a grant, along with Sir William Cockburn of Langton, of the office of Principal Usher to the King.[6] He is a witness to a discharge by his nephew, the ninth Earl, on 19 December 1666, and was apparently still alive on 10 March 1670.[7] He married Anne, daughter of Sir John Scot of Scotstarvit, with issue.
3. *Alexander*, born 8 April 1613.[8] It has been said that having joined in an invasion of England, he ultimately settled at Oakhampton in Devonshire,[9] but there is no proof of this. He was dead before 30 July 1647, when his brothers and sisters are called as next-of-kin to their mother Janet Ker.[10]

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] *Ibid.* [5] *Ibid.* [6] *Ibid.* [7] Memo. Book by Sir W. Fraser in Lyon Office, 70, 81. [8] Edin. Reg. [9] *Notes and Queries*, 6th ser. ix. 417. [10] *Acts and Decreets*, 30 July 1647.

4. *Elizabeth*, born 7 November 1611,[1] married to Sir Ludovic Stewart of Minto.[2]
5. *Margaret*, married, first, as his second wife, 31 December 1639, to David Beaton of Creich; he died in 1661, and she was married, secondly, to Chisholm of Cromlix.[3] She died 1678.
6. *Jean*.[4] 7. *Lilias*.[5]
8. *Marion*, married, first, as his second wife, to James, first Earl of Findlater, who died in 1652, and secondly, 29 October 1660, as the second of his three wives, to Alexander, Master of Saltoun. She died but a short time after her marriage, as on 27 June 1663 the Master married for the third time.[6]
9. *Anne*, died unmarried.

IX. WILLIAM, eighth Earl of Glencairn, was born about 1610. On 21 July 1637 he had a ratification under the Great Seal of his title of Earl of Glencairn,[7] and on 27 July 1642 a ratification of a charter granted to him by his father on 1 February 1628, to himself and the other heirs mentioned in the entail of 1614.[8] On 7 April 1643 he had a charter of Lambroughton, co. Ayr.[9] He was admitted a member of the Privy Council 3 November 1641,[10] and one of the Commissioners of the Treasury on the 17th of the same month.[11] He joined the Duke of Hamilton and the Earls of Lanark and Roxburgh in opposing an army being sent into England to the assistance of the Parliamentary forces in 1643. He was appointed Lord Justice-General 13 November 1646, and had a ratification of the office from Parliament on 4 January following.[12] He entered into the 'Engagement' for the rescue of the King in 1648, and was in consequence removed from his offices[13] in 1649, his patent of the earldom of 1488 being annulled by Parliament on the ground that it fell under the Recissory Act of James IV. He was, however, included in a list of the nobility of Scotland in 1650, and in the Committee of Estates the following year.[14] In 1653 he took up arms in support of the King,

[1] Edin. Reg. [2] *Reg. Mag. Sig.*, 20 July 1655. [3] Macfarlane's *Gen. Coll.*, i. 35. [4] Catalogue of Scots Earls, MS., Lyon Office. [5] *Ibid.* [6] *Frasers of Philorth*, i. 187. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] *Ibid.* [10] *Acta Parl. Scot.*, v. 388. [11] *Ibid.*, 428. [12] *Ibid.*, VI. i. 654. [13] *Ibid.*, VI. ii. 199. [14] *Ibid.*, VI. ii. 258, 679, 887.

and raised a large following. Next year he joined Middleton's forces, but in consequence of a quarrel with Sir George Munro he left the army, went home, and made his peace with Monck. He was, however, excepted from the Act of Grace and Pardon in 1654, and his confiscated estates were vested in trustees.[1]

Glencairn was one of the Peers whom Monck summoned when he was about to march into England in 1659, and on the Restoration he had the office of Chancellor conferred on him, and was also appointed Sheriff-Principal of Ayrshire:[2] a moderate Episcopalian, he quarrelled with Archbishop Sharp about the expediency of the latter's proceedings as to church matters. Sharp's revenge was to get a royal letter giving the Primate precedence over the Chancellor. As Glencairn had spent a considerable portion of his life in protesting from time to time for precedence over some of his fellow Peers, and especially his feudatory enemy the Earl of Eglinton, this act of Sharp's incensed him extremely; indeed it is said that it brought on the illness which occasioned his death, at Belton in Haddingtonshire, 30 May 1664,[3] in the fifty-fourth year of his age. He was buried in St. Giles', Edinburgh, on 28 July following; the funeral was conducted with much ceremony, all the nobility then in Edinburgh being present; the Archbishop of Glasgow preached the sermon, and 'aucht trumpetoires sounding at the grave's mouth ended the solempnitie.'[4]

The Earl married, first (contract 5 April 1637[5]), Anne, second daughter of James, first Earl of Findlater; she died of the measles January 1661.[6] The Earl married, secondly, Margaret Montgomery, eldest daughter of Alexander, sixth Earl of Eglinton, born 20 February 1617, and who had married, first, in 1642, John, first Earl of Tweeddale, who died in 1653. She died at Edinburgh, without issue by the Earl, 25 July 1665, and was buried beside her husband in St. Giles'.[7]

[1] *Acta Parl. Scot.*, VI. ii. 821. [2] *Ibid.*, vii. 44, 277. [3] Lamont's *Diary*, 1703. [4] Nicoll's *Diary*. [5] *Reg. Mag. Sig.*, 31 July 1637. [6] Lamont's *Diary*, 131. [7] Sir William Fraser, in his *Memorials of the Montgomeries, Earls of Eglinton*, gives the above date (probably on the authority of Lamont) as that of the Countess's death. In a volume of funeral entries in the Lyon Office the day is given as 25 July, but as the date of the funeral is stated to be the fifth of July, the entry is evidently inaccurate.

By his first marriage the Earl had issue :—

1. *William*, Lord Kilmaurs, 'one of the tallest men'[1] of his day, died *vitâ patris* in his eighteenth year.
2. *James*, Lord Kilmaurs, who also died *s. p. vitâ patris*, having married (contract 30 September 1662) Elizabeth, second daughter of William, second Duke of Hamilton; she married, secondly, Sir David Cunningham of Robertland.
3. ALEXANDER, ninth Earl of Glencairn.
4. JOHN, tenth Earl of Glencairn.
5. *Jean*, married 25 April 1661 to William, Lord Boyd, afterwards first Earl of Kilmarnock.[2]
6. *Margaret*, married, as his first wife, in 1662 John, second Lord Bargany.
7. *Anne*, died unmarried.
8. *Elizabeth*, married William Hamilton of Colestoun, whom she survived, and was afterwards, it is said,[3] matrimonially contracted to William Fullarton of that Ilk, but was suddenly taken ill, and died before the marriage.

X. ALEXANDER, ninth Earl of Glencairn. He did not enjoy the title long after his succession to it, as he died 26 May 1670. He married Nicholas,[4] elder of the two daughters of Sir James Stewart of Kirkhill and Strabrock, and co-heiress of her brother Sir William. By her he had issue one daughter :—

Margaret, married, about 1680, Sir John Maitland of Ravelrig, Bart., afterwards third Earl of Lauderdale. She died 12 May 1742, leaving, with other children :—

James, Viscount Maitland, who died *v. p.* in 1709, having married, in 1702, Jean, daughter of John, Earl of Sutherland. By her he had an only child :—

Jane, married, in 1726, to Sir James Fergusson of Kilkerran, Baronet, whose son, Sir Adam, ultimately claimed the earldom as heir of line of Lady Margaret.

XI. JOHN, tenth Earl of Glencairn, succeeded his brother. His succession as heir-male being unopposed, both he and his successors were recognised in various ways by the Crown as entitled to the dignity. The Earl was a keen

[1] Baillie's *Letters*. [2] Lamont's *Diary*, 135. [3] Anderson's *House of Hamilton*, 274. [4] Lyon Office MS., S. 15.

supporter of the Revolution, and signed the letter of congratulation to King William in 1689.[1] He raised a regiment of six hundred men for the service of the revolutionary party, and was appointed its colonel,[2] but refused to concur in the abolition of the penal laws against Papists. He was nominated a Privy Councillor in 1689, and was Captain of Dumbarton Castle. He died 14 December 1703, having married, first, 5 August 1673, Jean, second daughter of John, Earl of Mar; she probably died about 1695, in which year he was excused from attendance in Parliament owing to the illness of his wife; he married, secondly, Margaret, daughter and heiress of John Napier of Kilmahew, and widow of Patrick Maxwell of Newark. By his first marriage he had one son,

XII. WILLIAM, eleventh Earl of Glencairn. He took the oaths and his seat in Parliament 11 July 1704, and supported the Crown. He was, like his father, a Privy Councillor and Governor of Dumbarton Castle. He made an entail of the estate of Finlaystoun to his sons and the heirs-male of their bodies, whom failing, to his daughters and the heirs-male of their bodies. He died at Finlaystoun 14 March 1734. He married, 20 February 1704, Henrietta Stewart, second daughter of Alexander, third Earl of Galloway, and by her, who died at Glasgow, 21 October 1763, in her eighty-first year, he had issue:—

1. *John*, Lord Kilmaurs, who died young.
2. WILLIAM, twelfth Earl of Glencairn.
3. *John*, died unmarried July 1741.[3]
4. *James*, died an infant.
5. *Malcolm Fleming*, died unmarried.
6. *Alexander*, an officer in the Army; died at Portobello April 1740.[4]
7. *Charles*, died unmarried.
8. *James*, baptized 25 February 1711,[5] died unmarried at Finlaystoun 15 July 1739.[6]
9. *Margaret*, married, 2 April 1732, to Nicol Graham of Gartmore, who died 16 November 1775; she died at Edinburgh 29 September 1789 in her eighty-fifth year, leaving issue.

[1] *Acta Parl. Scot.*, ix. 20. [2] *Ibid.*, 57. [3] *Scots Mag.* [4] *Ibid.* [5] Kilmalcolm Session Records. [6] *Scots Mag.*

10. *Henrietta*, born 24 February 1710;[1] married, 20 April 1735, to John Campbell of Shawfield, with issue. She died at Edinburgh 5 May 1774.
11. *Mary*, died unmarried.
12. *Catherine*, died unmarried.

XIII. WILLIAM, twelfth Earl of Glencairn, entered the Army in 1729, and succeeded his father in the governorship of Dumbarton Castle. He was a captain in the 7th Foot, major in the 52nd Foot in 1741, and lieutenant-colonel in the 9th Foot in 1747; major-general in the Army 1770, and died at Finlaystoun 9 September 1775. He married, 6 August 1744, Elizabeth, daughter and co-heiress of Hugh Macguire of Drumdow, co. Ayr,[2] and by her, who died at Coates, near Edinburgh, 24 June 1801, in her seventy-seventh year, had issue:—

1. *William*, Lord Kilmaurs, born at Houstoun 29 May, and baptized 6 June, 1748.[3] He entered the Army as a cornet in the 3rd Dragoon Guards, but died *vitâ patris* at Coventry 3 February 1768.
2. JAMES, thirteenth Earl of Glencairn.
3. JOHN, fourteenth Earl of Glencairn.
4. *Alexander*, born 28 June 1754, died young.
5. *Henrietta*, born at Finlaystoun 23 September 1752,[4] married in 1778 to Sir Alexander Don of Newton Don, Bart., with issue. She died 12 March 1801.[5]
6. *Elizabeth*, died unmarried at Coates 6 August 1804.

XIV. JAMES, thirteenth Earl of Glencairn, born at Kilmalcolm, co. Renfrew, 1 June 1749; captain in the West Fencible Regiment 1778; a Representative Peer of Scotland 1780; sold Kilmaurs 1786, and having spent the winter at Lisbon, died at Falmouth after landing 30 January 1791, and was buried in the chancel of the church there.

XV. JOHN, fourteenth Earl of Glencairn, was born at Finlaystoun 17 May 1750. He began life as an officer in the 14th Dragoons, but leaving the Army he took holy orders in the Church of England. He died at Coates 24 September 1796, and was buried in St. Cuthbert's churchyard, Edin-

[1] Kilmalcolm Session Records. [2] Kilmalcolm Reg. [3] *Ibid.* [4] *Ibid.* [5] *Complete Baronetage.*

burgh. He married, 23 April 1785, Isabella Erskine, second daughter of Henry David, Earl of Buchan, and widow of William Leslie Hamilton; she died 17 May 1824.

The fourteenth Earl having died without issue, the estate of Finlaystoun devolved in terms of the entail upon Robert Graham of Gartmore, the second but eldest surviving son with male issue of Lady Margaret Cunningham, the eldest daughter of the eleventh Earl. The earldom itself was claimed by Sir Adam Fergusson, Bart., the great-great-grandson of Lady Margaret Cunningham, the daughter and heiress of the ninth Earl by her husband John, Earl of Lauderdale. Sir Adam claimed as heir-general of the above-mentioned Earl, and was opposed by Sir Walter Montgomery Cunningham, Bart. of Kirktonholm, who claimed as heir-male, being descended from Andrew Cunningham of Corsehill, second son of William, third Earl of Glencairn. Opposition was also made by Lady Harriet Don, sister and heir of the last Earl, he having been heir-male but not heir-general of the original grantee. The House of Lords, 14 July 1797, found that Sir Adam Fergusson had shown himself to be the heir-general of Alexander, Earl of Glencairn, who died in 1670, but had not made out the right of such heir-general to the dignity of Earl of Glencairn.[1]

CREATIONS.—1469, Lord Kilmaurs; 28 May 1488, Earl of Glencairn (annulled 17 October 1488); 13 August 1503, Earl of Glencairn.

ARMS (recorded in Lyon Register).—Argent, a shakefork sable.

CREST.—A unicorn's head couped argent, armed or.

SUPPORTERS.—Two cunnings (coneys) proper.

MOTTO.—*Over, fork over.*

[J. A.]

[1] Journals of the House of Lords at date; Maidment's *Collectanea Genealogica*, 101-104.

[GORDON, DUKE OF. *See* HUNTLY [1] *and* LENNOX.]

[1] Since the publication of Douglas's *Peerage* it has been contended, especially by Mr. Riddell in his *Peerage and Consistorial Law*, vol. i. pp. 274 *n.* and 394 *n.*, that the first Earl of Huntly and his father, Sir Alexander de Seton, held a barony of Gordon, not affected by the destination of the earldom. The facts are stated under Huntly.

Upon 1 November 1684 George, fourth Marquess of Huntly, was created Duke of Gordon, and he was succeeded by the fifth, sixth, seventh, and eighth Marquesses in the dukedom. This dignity expired with George, fifth Duke and eighth Marquess, 20 May 1836, and it seems more appropriate that in the present work the whole house of Gordon should be treated under the extant and historic title of Huntly. The oldest co-heir of line and owner of the ancient estates is Charles Henry, Duke of Richmond, Lennox and Gordon, K.G., whose father was created Duke of Gordon of Gordon Castle in the Peerage of the United Kingdom 13 January 1876. (*See* Huntly and Lennox.)

RUTHVEN, EARL OF GOWRIE

THOR is the name of the first known ancestor of that family who, at a later date, derived their surname from the lands of Ruthven in Perthshire. Thor, whose name suggests a Scandinavian origin, flourished during the reign of King David I. The name was not uncommon at the period, but he was probably identical with Thor, son of Swein (or Swan), who appears as a witness to royal charters between 1127 and 1150.[1] He was the owner of the lands of Travernent or Tranent, the church of which he granted to the monks of Holyrood.[2] He was also not improbably the overlord of the extensive territory of Crawford. He may have been a friend as well as a contemporary of Henry, Earl of Huntingdon, who is commemorated in a charter by Swan, son of Thor, to the monks of Scone.

SWAN (or Swein), son of Thor, apparently soon settled in Perthshire, as he granted, between 1188 and 1199, to the monks of Scone, the lands of Achednapobbel, by the same limits as Robert, the chaplain had held them, and a toft in Tubermere, which the goldsmith held (*quem aurificator tenuit*).[3] This charter was confirmed by King William,[4] by Swan's grandson, Walter, son of Alan, and by William de

[1] *Early Scottish Charters*, by Sir Archibald C. Lawrie, 59, 72, 186. [2] *Ibid.*, 122, 123, 164, 1751. [3] *Liber de Scon.*, 18. [4] *Ibid.*, 18, 19.

Ruthven.[1] Swan also was superior of the lands of Crawford in Upper Clydesdale, with William de Lindsay as his vassal.[2] He witnessed a charter of Malcolm IV. between 1163 and 1164.[3] He had two sons:—

1. ALAN.
2. *Walter*, witnessed a charter of his nephew Walter.[4]

ALAN, son of Swan, married Cecilia, daughter and co-heir of Sir William Maule of Foulis.[5] He had perhaps three sons:—

1. WALTER, his heir.
2. *Henry*, witness to a charter of his brother Walter, son of Alan.[6]
3. *Adam*, 'son of Alan,' witness with Walter, son of Alan of Ruthven.[7]

WALTER, son of Alan, granted under that designation a charter to Scone before 1223,[8] and received a charter of Culgask from his brother-in-law Robert, Earl of Strathearn, between 1223 and 1231,[9] as Walter, son of Alan of Ruthven; he was a witness about 1234,[10] a little later he is designated Walter of Ruthven,[11] and in 1245 Sir Walter of Ruthven,[12] being apparently the first of his family to assume the surname.

He married Cecilia, daughter of Gilbert, Earl of Strathearn,[13] and had issue:—

1. GILBERT.
2. WILLIAM, succeeded his brother.
3. —— married, apparently, to Sir Patrick Edgar, and had issue *Walter*, to whom two charters of Easter and Wester Cultmalundie were granted by his uncle Gilbert, both undated, but confirmed by Alexander III. 16 May 1279.[14]

GILBERT of Ruthven, witnessed a charter along with his father about 1245.[15] As Sir Gilbert he is a witness in

[1] *Liber de Scon.*, 91; original in Gen. Reg. Ho., No. 68. [2] *Chart. of Newbottle*, 102, 103. [3] *Reg. Prior. S. Andree*, 194. [4] *Liber de Scon.*, 91. [5] *Reg. de Panmure*, ii. 82. [6] *Liber de Scon.*, 91; original in Gen. Reg. Ho. [7] *Chart. of Lindores*, 30. [8] *Liber de Scon.*, 91. [9] *Liber Insule Missarum*, 28. [10] *Chart. of Lindores*, 30. [11] *Ibid.*, 28. [12] *Liber de Scon.*, 61. [13] *Liber Insule Missarum*, 28. [14] Dupplin Charters. [15] *Chart. of Lindores*, 31.

1247,[1] and in 1266.[2] In 1262 he renounced his right of succession to Foulis through Cecilia de Maule, his grandmother.[3] This is by Douglas[4] wrongly ascribed to Sir Walter. He died between 1266 and 1279, when his charter to his nephew Walter Edgar was confirmed by Alexander III., and was succeeded by his brother,

WILLIAM of Ruthven, perhaps the same who as chamberlain to Malise, Earl of Strathearn, witnessed a charter before 1270.[5] As Sir William of Ruthven, he witnessed two charters in January 1267-68,[6] and another about 1290.[7] He did homage to King Edward I. in 1291 and 1296.[8] As William of Ruthven, Lord of that Ilk, he, about 1298, confirmed the charter of his father, Walter, son of Alan, to the lands of Scone.[9] He had two sons:—

1. WALTER, his heir.
2. *Gilbert*, a witness of his father's charter of Scone.

WALTER of Ruthven was a consenting party to his father's charter to Scone *circâ* 1298.[10] He capitulated to the English at Strathurd, along with Sir John Comyn of Badenoch, 9 February 1303-4.[11] He is a witness to several charters in the later part of Robert I.'s reign.[12] He was dead in 1330. His successor,

WILLIAM of Ruthven, paid a fine for the relief of Newton in Edinburgh in 1330.[13] He died before Easter 1346. It is supposed that he had issue:—

1. WILLIAM.
2. *Margaret*, contracted 1346 to Sir John Seton, heir of Sir Alexander Seton, Lord of that Ilk.[14]

WILLIAM RUTHVEN had safe-conducts in 1358-59, 1362, and 1363,[15] and died before 25 June 1376.[16] A payment to Johanna, his wife, is entered in 1363.[17]

[1] *Liber Insule Missarum*, 28. [2] *Ibid.*, 64. [3] *Reg. de Panmure*, ii. 82. [4] Wood's Douglas, i. 659. [5] *Liber Insule Missarum*, 53. [6] *Reg. Prior. S. Andree*, 312-313. [7] *Reg. Epis. Morav.*, 470. [8] *Cal. Doc. Scot.*, ii. 124-211. [9] *Vide Liber de Scon.*, 91. [10] *Supra.* [11] *Cal. Doc. Scot.*, ii. 470, No. 1741. [12] *Liber Insule Missarum*, xl., xlii. [13] *Exch. Rolls*, i. 282. [14] *Reg. Hon. de Morton*, ii. 49. [15] *Rot. Scot.* [16] *Reg. Mag. Sig.* [17] *Exch. Rolls*, ii. 116.

Sir William of Ruthven had a charter from Robert III. of the lands of Ruthven and Balerno, and another of the sheriffship of St. Johnstone or Perth, 1393-95.[1] He had a safe-conduct in 1400.[2] He or his successor witnessed a charter by Sir John Oliphant of Aberdalgie, to Malcolm, his brother, which was confirmed by Sir John Montgomery of Ardrossan in 1412.[3] He perhaps had two sons:—

1. William, his heir.
2. *David*, to whom his brother granted the lands of Murchall in 1400.[4]

Sir William Ruthven of Ballernach. He granted a charter to Walter of Haliburton of Dirleton, which was confirmed by Robert, Duke of Albany, Regent, 2 February 1407-8.[5] He was in England as a hostage for the ransom of James I. 1424-1427.[6] He had issue:—

1. John, his heir.

Sir John of Ruthven.[7] He was on an assize 10 August 1440,[8] and Sheriff of Perth 21 April 1444.[9] He probably died before 26 July 1454, from which date William Murray of Gask was Sheriff of Perth.[10] He had issue:—

1. Patrick, his heir.

Patrick Ruthven of that Ilk, most probably the Sheriff-depute of Perth 9 May 1444.[11] He appears along with his father 2 June 1451.[12] He is styled son of Sir John and grandson of Sir William, 24 December 1458.[13] He was knighted soon after, and as Sir Patrick, was on a jury, 6 October 1461.[14] He married a daughter of Sir Thomas Cranstoun of that Ilk, who is styled grandfather to his son and successor in 1465.[15] He had issue:—

1. William, his heir, first Lord Ruthven.

I. Sir William Ruthven of that Ilk on 21 September 1484 was conservator of the Three Years Truce.[16] He was

[1] Robertson's *Index*, ii. 137, 144. [2] *Rot. Scot.*, ii. 154. [3] *Oliphants in Scotland*, xxviii. [4] Denmilne Charters, No. 33. [5] *Reg. Mag. Sig.* [6] *Cal. Doc. Scot.*, iv. 152, 1010. [7] *Reg. Mag. Sig.* [8] *Acta Parl. Scot.*, ii. 56. [9] Adv. Lib. MS. 34.3.25, 241. [10] *Exch. Rolls*, vi. 187. [11] City of Perth Charters. [12] Dupplin Charters. [13] *Reg. Mag. Sig.* [14] *Seventh Rep. Hist. MSS. Com.* [15] *Reg. Mag. Sig.* [16] *Cal. Doc. Scot.*, iv. 1505.

created a Lord of Parliament under the title of LORD RUTHVEN 29 January 1487-88.[1] He received many charters of lands in Perthshire between 1492 and 1528,[2] in which year he died, and must have possessed considerable influence, as he got them limited to his natural sons.

He married, first, Isabel, daughter of Levington of Saltcoats, relict of Walter Lindsay of Beaufort, by whom he had already had two sons, who received letters of legitimation: and secondly, Christian Forbes,[3] daughter of William, third Lord Forbes.

By his wives he had issue:—

1. WILLIAM, Master of Ruthven, his heir.
2. *John Lindsay* or Ruthven, who had letters of legitimation along with his brother under the Great Seal 2 July 1480,[4] and the remainder of the lands of Ruthven in a charter 12 July 1480,[5] to his brother, mentioning his mother Isabella Levington. He received on 1 August 1507 a confirmation of a charter, 15 April 1507, by his father granting him the lands of Cultvainy and Drumdrane, 'pro renunciatione ejus cognominis Lindesay et captione cognominis et armorum suorum de Ruthven in multiplicatione sul cognominis; ac pro fideli servitio.'[6] He was apparently alive in October 1548, when he had a charter from his nephew William, second Lord Ruthven, to himself, Libra Livingston, his spouse, and their son.[7] He had issue so far as known one son:—

   (1) *Alexander*, named in 1548 with his father and mother, but nothing further has been ascertained regarding him.[8]

3. *William* Ruthven of Ballindean (by Christian Forbes), ancestor of the families of Gardyne, Carse, Dunlugas, Redcastle, and of the Earl of Forth. (*See that title.*)
4. *Margaret* (a daughter of Isabel Levington), contracted as a child to John Oliphant, grandson and heir-apparent of Lawrence, first Lord Oliphant, but on June 1494 a notarial instrument was taken showing

[1] *Acta Parl. Scot.*, ii. 181. [2] *Reg. Mag. Sig.* [3] See *ante*, p. 52. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Ibid.* [7] Protocol Book of Robert Rollok, f. 426. [8] *Ibid.*

that the marriage was not solemnised owing to the bride's reluctance.[1] She was married, first, to Alexander, Earl of Buchan;[2] secondly, to John Erskine, younger of Dun,[3] who fell at Flodden; thirdly, before 23 December 1518, to James Stewart of Ryland, who was slain at Edinburgh before 11 March 1524-25;[4] fourthly, to William Wood of Bonnyton, which marriage was annulled 18 December 1534.[5]

5. *Elizabeth*, was married, first, to William, fifth Earl of Erroll; secondly (contract 9 December 1523), to Ninian, Lord Ross.[6]

WILLIAM, Master of Ruthven, eldest son and heir. He received a legitimation with his brother, giving them the right of mutual succession, 2 July 1480, and a grant of the lands of Ruthven, 12 July 1480, resigned by his father.[7] In 1507[8] he is styled son and apparent heir of William, Lord Ruthven. He fell at the battle of Flodden 9 September 1513.[9] He is stated to have married, first, Catherine Buttergask, and secondly, Jean Hepburn (of the Riccarton family[10]), and had issue:—

1. WILLIAM, heir to his grandfather.
2. *Isobel*, married John Murray of Wallaceton and Tibbermuir, and had issue.[11]

II. WILLIAM, second Lord Ruthven, succeeded his grandfather. As Provost of Perth he was made custodier of the royal manors and hospitals within the burgh, 10 September 1528,[12] and his lands of Glenshee were erected into a free forest, 28 August 1536.[13] He was appointed an extraordinary Lord of Session 16 February 1539, and Keeper of the Privy Seal 8 August 1546,[14] and died between 3 and 16 December 1552.[15]

He married, and by so doing greatly added to his estates, Jonet, eldest daughter and co-heiress of Patrick, Lord Haliburton of Dirleton,[16] and had issue:—

1. PATRICK, succeeded his father.

[1] Protocol Book of James Young, W.S. [2] Vol. ii. 268. [3] *Reg. Mag. Sig.*, 28 July 1532. [4] Dundee Protocol Book, No. I. MS. [5] *Liber Officialis S. Andree*, 50. [6] *Reg. Mag. Sig.* [7] *Ibid.* [8] *Ibid.* [9] Wood's Douglas, i. 661. [10] *Complete Peerage.* [11] *Acts and Decreets*, liii. f. 112. [12] *Reg. Mag. Sig.* [13] *Ibid.* [14] *P. C. Reg.*, i. 35; xiv. 3. [15] *Reg. Mag. Sig.* [16] *Ibid.*, 1 March 1535-36, 14 May 1543.

2. *James* of Forteviot,[1] to whom his elder brother was retoured heir 9 January 1553.
3. *Henry*, mentioned with his younger brothers in the remainder of a charter, granted, 10 June 1540, to William Ruthven of Ballindean.[2]
4. *William*, mentioned in above charter, but probably dead before 8 May 1543, when William Ruthven abovementioned got a confirmation of Ballindean.[3]
5. *Alexander* of Freeland, youngest son. He was charged with Riccio's murder, and denounced rebel.[4] He and his wife had a charter from his nephew William, Earl of Gowrie, of the half lands of Forteviot, which was confirmed on 4 August 1585.[5] He died 9 October 1599,[6] having married Elizabeth, daughter of Sir William Moncrieff of that Ilk, leaving issue.[7]
   (1) *William* Ruthven of Freeland, died of the plague 20 October 1608,[8] married Isabella Fotheringham, with issue:—
      i. Sir Thomas, his heir, created by King Charles II. Lord Ruthven of Freeland. (*See that title.*)
      ii. *Maria*, married, about 1612, George Hay of Naughton.[9]
      iii. *Elizabeth*, married, contract 1629, to Sir David M'Gill of Rankeillour.[10]
   (2) *Harrie* Ruthven, tutor to Freeland,[11] who was accessory to the Gowrie Conspiracy and was forfeited by Parliament 15 November 1600.[12]
   (3) *Alexander*, also forfeited on account of the Gowrie Conspiracy.
   (4) *Jean*, stated to have married Mercer of Clavedge.[13]
   (5) *Barbara*, stated to have married Henry Rattray of that Ilk.[14]
   (6) *Isabel*, stated to have married Reid of Strathardle.[15]
6. *Lilias*, married to David, Lord Drummond. She died at Stobhall 7 July 1579, and was buried beside her husband in the kirk of Innerpeffray. Her testament was recorded 28 March 1580.[16] To her Robert Alexander dedicated, in 1539, the Testament of William, Earl of Erroll, in Scottish metre.[17]
7. *Catherine*, married (contract dated 28 January 1550-51)[18] to Colin Campbell of Glenorchy.
8. *Cecilia*, married in 1556, with a portion of 300 merks,

[1] *Reg. Mag. Sig.*, 1 March 1535-36. [2] *Ibid.* [3] *Reg. Mag. Sig.*, 14 May 1543. [4] *P. C. Reg.*, i. 437-463. [5] *Reg. Sec. Sig.*, liii. f. 4. [6] Wood's Douglas, ii. 466. [7] Macfarlane's *Gen. Coll.*, i. 43. [8] *Ibid.*, ii. 463. [9] *Reg. Mag. Sig.*, 11 December 1621. [10] *Ibid.*, 20 February 1643. [11] *Inquis. de Tutela*, 9 March 1611. [12] Pitcairn's *Criminal Trials*, ii. 325-329. [13] Wood's Douglas, ii. 463. [14] *Ibid.* [15] *Ibid.* [16] Edin. Tests. [17] Printed at Edinburgh, 1571. [18] *Acta Dom. Conc. et Sess.*, xxvii.

to David Wemyss of Wemyss,[1] for which marriage a dispensation had to be obtained. Died 8 July 1589.[2]

9. *Barbara*, married (contract dated 14 January 1556-57) to Patrick, Lord Gray.[3]
10. *Janet* or *Jean*, married, first, before 1544, to John Crichton of Strathord;[4] secondly, to Laurence Mercer of Meikleour, and died his relict 9 December 1593. Her testament was recorded 6 August 1595.[5]
11. *Margaret*, married (contract dated 24 March 1549-50) to James Johnston of Elphinston.[6]
12. *Christian*, married to William Lundin of that Ilk.[7]

III. PATRICK, third Lord Ruthven, born about 1520, and educated at St. Andrews. He was one of the most noted nobles in the reign of Queen Mary, belonging to the party which sided with the Reformers. He was an adherent of Darnley, and was the principal actor in the murder of Riccio, 9 March 1566, having risen from a sick-bed for the purpose.[8] After the murder, abandoned by Darnley, he fled to England, where he died at Newcastle[9] 13 June 1566.

He married, first, before 8 August 1546,[10] Janet Douglas, natural daughter of Archibald, Earl of Angus, by a daughter of Stewart of Traquair,[11] to whom he was contracted before his marriage to Margaret Tudor, the Queen-Dowager;[12] secondly, 1557, Janet Stewart, Lady Methven,[13] eldest daughter of John, second Earl of Atholl, married, first, to Alexander, Master of Sutherland; secondly, to Sir Hugh Kennedy of Girvanmains; and thirdly, to Henry Stewart, first Lord Methven, third husband of Margaret Tudor, the Queen-Dowager.

The third Lord Ruthven had issue:—

1. PATRICK, Master of Ruthven, a party to the contract of marriage of Patrick, Lord Gray, and his aunt Barbara Ruthven 14 January 1556-57. He died apparently soon afterwards, before 1565, when his brother is styled 'Master of Ruthven.' He married

[1] Fraser's *Family of Wemyss*, i. 158; ii. 293. [2] Edin. Tests. [3] *Reg. Mag. Sig.*, 23 October 1571. [4] *Ibid.* [5] Edin. Tests. [6] *Acta Dom. Conc. et Sess.*, xxvi. 111. [7] *Reg. Sec. Sig.*, xxxii. f. 24, 14 December 1562. [8] *P. C. Reg.*, i. 437. [9] *History of King James the Sext*, 28. [10] *Reg. Mag. Sig.* [11] Godscroft, edit. 1644, 238. [12] Riddell's *Scottish Peerages*, i. 470-473; *Estimate of the Scottish Nobility*, 19. [13] Fraser's *Sutherland Book*, i. 97.

Marion, daughter of Patrick, fourth Lord Gray, who survived him, and married, secondly, Patrick Ogilvy of Inchmartine.[1]

2. WILLIAM, fourth Lord Ruthven, who succeeded his father.
3. *George*, 'brother to my Lord Ruthven,' Precentor of Dunkeld, killed along with the Regent Lennox near Stirling 4 September 1571.[2]
4. *Archibald* of Forteviot, styled 'Master of Ruthven.' General in the Swedish service, recommended to King John of Sweden by the Regent Mar in 1572. He became implicated in a plot to release the imprisoned King Erik XIV., and after a tumult among his soldiers in Leiffland he was arrested and imprisoned, but his life was spared on the intercession of James VI., though 'he wan us nather castell, toun, nor battall.'[3] He had a natural daughter *Lilias*.[4]
5. *James*, Precentor of Dunkeld, having succeeded his brother in that office,[5] received a charter of an annualrent out of the lands of Holyland from his brother William, Earl of Gowrie, 9 June 1582, confirmed 1 October 1586.[6] He is mentioned in 1553,[7] and so cannot have been a son of his father's second marriage as has been stated. He survived until after 1599.
6. *Alexander*, pensioner of the bishopric of Ross in 1586.[8] He left an only daughter *Cecilia*, married to Francis, son of Patrick Bruce of Fingask.[9]
7. *Jean*, married, first, to Henry, second Lord Methven, the son of her stepmother, who died 3 March 1571;[10] secondly, to Andrew, fifth Earl of Rothes. She died September 1591, her testament being recorded 26 October 1594.[11]
8. *Isabell*, married, about 22 August 1570, James, first Lord Colvill of Culross.[12]

He had also a natural son *James*, mentioned in 1578.[13]

[1] Gray Inventory; *Fourteenth Rep. Hist. MSS. Com.*, i. 11. [2] *Historie of King James the Sext*, 92. [3] *P. C. Reg.*, Addenda, 344-347; *vide* also Brit. Mus. Addit. MSS. 38, 531, 133-150. [4] *Perth Inhibitions*, 8 December 1597. [5] *Reg. Sec. Sig.*, xl. 3. [6] *Reg. Mag. Sig.* [7] *Acts and Decreets*, x. 83. [8] *Ibid.*, cvi. 358. [9] *Perth Sasines*, vi. 397, 398. [10] Edin. Tests. [11] *Ibid.* [12] *Reg. Mag. Sig.*, 24 November 1571. [13] *Reg. Sec. Sig.*, xlv. 74.

IV. WILLIAM, fourth Lord Ruthven, succeeded his father. He was also engaged in the association against Riccio,[1] and after his murder fled to England. He made peace, however, and returned to Scotland, where he entered into the association for the support of King James VI. He was one of those who waited on the Queen at Lochleven, and obtained her signature to the resignation of the Crown.[2] He was present at the coronation of King James, voted against the Queen's divorce,[3] and was made Treasurer for Scotland 24 June 1571,[4] and one of the Extraordinary Lords of Session 25 November 1578.[5] He was by King James VI. created EARL OF GOWRIE by patent 23 August 1581,[6] and by charter under the Great Seal 20 October 1581, which erected the earldom out of the lands of the monastery of Scone, and limited it to the heirs-male of his body, whom failing, to his heirs-male bearing the name and arms of Ruthven.[7] This was ratified by Parliament 29 November 1581,[8] with the addition 'de nobis et successoribus nostris in feodo hereditate liberis comitatu baronia et regalitate.' He was the principal actor in the 'Raid of Ruthven' 23 August 1582, which took the young King out of the power of Lennox and Arran, an Act of Indemnity supporting the scheme. In 1583 the King freed himself, when he pardoned the actors, but a Convention of Estates reversed this. Engaging in a new plot to seize Stirling Castle, Ruthven was tried and beheaded at Stirling 4 May 1584,[9] and his property forfeited.[10] He was contracted to Mary, daughter of Patrick, fourth Lord Gray, though the marriage did not take place, as she married David Seton of Parbroath.[11] Ruthven married Dorothea Stewart, daughter of Henry, first Lord Methven, and of Janet Stewart, his father's second wife. She was born before marriage, and was legitimated in 1551.[12] After her husband's fall she was forfeited and basely used by King James VI., surviving however to see the ruin of her family. She was residing at Dirleton when the news of the Gowrie conspiracy was brought to her.

They had issue:—

[1] *P. C. Reg.*, i. 437. [2] *Ibid.*, 531-534. [3] *Ibid.*, ii. 8. [4] *Reg. Sec. Sig.*, xxxix. 97. [5] Brunton and Haig, 170. [6] Wood's Douglas, i. 662. [7] *Reg. Mag. Sig.* [8] *Acta Parl. Scot.*, iii. 263-267. [9] *Historie of King James the Sext*, 203. [10] *Acta Parl. Scot.*, iii. 290-325. [11] Gray Inventory. [12] *Reg. Sec. Sig.*, lib. 24; *vide* also Riddell's *Remarks*, 198.

1. JAMES, second Earl.
2. JOHN, third Earl.
3. *Alexander*, Master of Gowrie, born at Perth 22 January 1580-81.[1] Killed along with his brother at Gowrie House. Court gossip reported that the Master was a lover of Queen Anna, and that the ruin of the family was the King's revenge.
4. *William* Ruthven. He chose curators 28 July 1599, the next of kin on his father's side being James Ruthven, Chanter of Dunkeld. At the time of his brother's death he was 'at the schools' in Edinburgh; he fled to England with his younger brother Patrick, and was there sheltered by Queen Elizabeth. On her death a proclamation was issued against him 27 April 1603 by King James I. He became a chemist and a philosopher, and is probably that brother of the Earl of Gowrie who according to Bishop Burnet died beyond sea, and of whom 'it was given out he had the philosopher's stone.'[2]
5. *Patrick* Ruthven, M.D., styled 'Lord Ruthven,' escaped with his brother to England, where he, on James's accession, was, on the King's proclamation arrested and conveyed to the Tower of London, before 24 June 1603, and imprisoned there for nineteen years. In 1616 he obtained a grant of £200 a year 'for apparel, books, physic, and such other necessities,' as he had become a distinguished physician and alchemist, and on 4 August 1622 was allowed to go to Cambridge. As 'our well-beloved Patrick Ruthven, Esquire,' he received, 11 September 1622, a grant of an annuity of £500 a year. His bounds were enlarged 4 February 1623-24, but he was still forbidden to approach the Court. He was rehabilitated against the forfeiture of his brother 12 November 1641,[3] and seems to have thought this implied restoration of the Peerage as well. He appealed to the House of Lords 25 March 1644-45 about the estate of his son-in-law, Sir Anthony van Dyck, and in 1648 is styled

[1] Pitcairn's *Criminal Trials*, ii. 297 *n*. [2] *Papers relating to William, first Earl of Gowrie, and Patrick Ruthven*, by John Bruce, 1867, 57. [3] *Reg. Mag. Sig.* and *Acta Parl. Scot.*, 487, 579.

Earl of Gowrie, Lord Ruthven, but signed as the latter only. He practised medicine, having 'made it his study, to administer health to others, but not for any gain to himself.' He died within the King's Bench, and was buried at St. George's, Southwark, 24 May 1652. He married Elizabeth, daughter of Robert Woodford of Brightwell, widow of Thomas Gerard, first Baron Gerard of Abbot's Bromley (who had died in 1617). She died in 1624, and they had issue:[1]—

(1) PATRICK RUTHVEN, styled 'Lord Ruthven,' born in Holborn. He appears to have lived in Sweden, being in 1650 'a solicitor of the King of Scotland.' He was 'a most violent and bitter fellow against the Parliament, his father long a prisoner in the Tower.'[2] He married, first, at St. Martin's-in-the-Fields, 14 July 1656, Sarah Head.[3] With his wife he petitioned Oliver Cromwell, Lord Protector, for the restoration of the barony of Ruthven, which he alleged had been restored to his father by the Parliament of Scotland in 1641, or if this were refused, to grant him 'such a subsistence as may not altogether misbecome the quality of a gentleman, honour and beggary being an unsupportable affliction.' This petition, which refers to the Gowrie attainder as 'the courte pretence of a conspiracy' was referred to the Council 3 November 1656.[4] He married, secondly (marriage licence 9 September 1667), being then at the Little Almonry, Westminster, Jane MacDannell (MacDonald?), of the county of Ross, Scotland, widow, aged forty-two.[5]

(2) *Robert*, the 'sonne in a very poore and lamentable condition' mentioned in his brother's petition; living in 1660.

(3) *Elizabeth*.

(4) *Mary*. One of the Maids-of-honour to Queen Henrietta Maria. Married, first, to Sir Anthony van Dyck, the celebrated painter, who painted her picture, now in the Munich Gallery. He died 9 December 1641, and she was married, secondly, to Sir Robert Pryse of Gogerddan, co. Cardigan, who died *s. p.* 1651. By her first husband she had issue:[6]—

i. *Justinia*, born 1, and baptized at St. Anne's, Blackfriars, 9, October 1641; died 1688; married to Sir John Stepney of Prendergast, who died 1681, and left issue, represented in 1867 by Allan James Gulstone, and Colonel Cowell Stepney as co-heirs.[7]

6. *Mary*, married, first, at Perth Parish Church, 24 January 1579-80, to John Stewart, fifth Earl of Atholl (*q. v.*); secondly (contract dated 31 March 1596), to John Stewart, Earl of Atholl (*q. v.*), Lord Innermeath;

[1] Bruce's *Observations* above cited. [2] Ruthven *Correspondence*, v. *n.* [3] *Complete Peerage*. [4] Bruce's *Observations*, 110-111. [5] Marriage licences, Faculty Office. [6] Bruce's *Observations*; G. E. C., *Complete Peerage*. [7] *Ibid.*

thirdly, before 30 December 1613, to James Stewart, son of James, Master of Buchan.[1]

7. *Margaret*, married (contract dated 12 December 1593) to the Earl of Montrose.[2]
8. *Sophia*, married to Ludovick, Duke of Lennox, and died before 1592.[3]
9. *Jean*, married, before 1588, to James, Lord Ogilvy of Airlie. She died 6 January or February 1611.[4] Her testament was recorded 12 January 1616.[5]
10. *Elizabeth* (Isabel), married, first (contract dated 1 February 1597-98[6]), to Sir Robert Gordon of Lochinvar. The marriage was not a happy one, and it is referred to in the Privy Council Records.[7] In 1607 she was ordained to remain in Edinburgh 'free from the keeping of her husband,'[8] and later they were divorced 11 August 1608. She was married, secondly, to George, first Lord Loudoun.[9]
11. *Beatrix*. She with her sister Lilias, both 'virginis undefameit and of lauchful age to marie,' was offered as bride to Alexander, sixth Lord Home, in 1584, by their father, who was his curator, but he did not marry either of them.[10] She was, with two other sisters, a Lady of the Bedchamber to Queen Anne of Denmark, and was married (contract dated 29 October 1608) to Sir John Home of Cowdenknowes,[11] whom she survived, and was known as 'Lady Cousland.'
12. *Lilias*, died apparently before her father, who, at his death, left thirteen children.
13. *Dorothea*, married, before 8 June 1609, to John Wemyss of Pittencrieff.[12]
14. *Barbara* at the time of the conspiracy was one of Queen Anna's Maids-of-honour. A warrant for her apprehension was issued 27 April 1603, but in the September of that year she received a pension of £200 a year, as she had 'shown no malicious disposi-

[1] *Gen. Reg. Inhib.*, viii. 362; *Reg. of Deeds*, cclxiii., 25 July 1617. Omitted under Atholl, where her second husband is also once misnamed. [2] Perth Inhib., 22 July 1595. [3] *Estimate of the Scottish Nobility*, 63. [4] Cortachy MSS. [5] St. Andrews Tests. [6] *Reg. of Deeds*, lxi. [7] *P. C. Rec.*, vii. 696. [8] *Ibid.*, viii. 5. [9] *Edinburgh Commissariot Decreets.* [10] Mss. of the Earl of Home, *Hist. MSS. Com. Rep.*, 81. [11] *Reg. Mag. Sig.*, 8 February 1616. [12] *Ibid.*, 27 June 1636.

tion.' About 1619 she petitioned for five years' pension to pay her debts, or prefer her in marriage, upon which she would go to Scotland;[1] she was, however, buried at Greenwich 29 December 1625.[2]

JAMES, second Earl of Gowrie, the eldest son, baptized 25 September 1575,[3] was restored to his estate and honours 1586, his mother being tutrix, and obtained a ratification of the earldom 1587.[4] He died in the fourteenth year of his age 1588, and was succeeded[5] by his brother.

JOHN, third Earl of Gowrie, who was born about 1577.[6] He had a charter to 'John Ruthven, son of William, Lord Ruthven,' of the lands of Burlie and others in Fife 23 January 1579-80,[7] and a letter of provision to the Abbacy of Scone 7 May 1580.[8] He succeeded his brother in 1588, and got a ratification of the earldom and Abbacy of Scone,[9] and was made Provost of Perth in 1592. In August 1594, after studying with much distinction at the University of Edinburgh, he went abroad and was entered as a law-student in the Scottish 'Nation' at the University of Padua 1596-97 as 'Ioannes Ruthuen, Scotus, cum signo albo in mento, xix Aprilis.'[10] While at Padua he was suspected like his father and grandfather of practising necromancy and witchcraft, and also, though nominally a Protestant, of intriguing with the Catholics. He returned to Scotland through England, where he was received by Queen Elizabeth, having a safe-conduct dated 9 April 1600,[11] and arrived at Perth on 20 May 1600. He was killed in his own residence, Gowrie House, there, with his brother Alexander Ruthven, on 5 August following, for an alleged attempt on the person of King James VI. which, still shrouded in mystery, is known as the Gowrie Conspiracy. Considered innocent by their nearer intimates and a large body of the clergy, the Ruthven family were treated by the King with the greatest rigour. The Earl's young brothers fled for their

[1] Ruthven *Correspondence*, v, vi, and *n*. [2] Lysons' *Environs of London*, iv. 474. [3] G. E. C., *Complete Peerage*, iv. 65. [4] *Acta Parl. Scot.*, iii. 479a. [5] *Reg. Mag. Sig.*, 11 May 1590. [6] *Vide* A. Lang's *The Gowrie Mystery*, 123. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] *Acta Parl. Scot.*, iii. 591a. [10] Andrichs' *De Natione Anglica et Scota . . . Universitatis Patavinae*, 172. [11] Brit. Mus. MSS., 32092.

lives to England, the sisters lost the royal favour. The dead bodies of the Earl and his brother were carried to Edinburgh, and an indictment of high treason was preferred against them. Witnesses being examined, the Parliament, 15 November 1600, pronounced sentence, declaring them to have committed manifest treason on all points contained in the summons; and therefore decerned their names, memory, and dignity to be extinguished; their arms to be cancelled; their whole estate, real and personal, to be forfeited and annexed to the Crown, their bodies to be taken to the Cross of Edinburgh, and drawn, hanged, and quartered; the name of Ruthven to be abolished, and their posterity and their surviving brethren to be incapable of succeeding to, or holding, any offices, honours, or possessions.[1] Their lands were parcelled out among those who had supported the King during the slaughter.[2]

In order to preserve the memory of the King's miraculous escape, and to declare the sense which the nation had of the Divine goodness to all future ages, the Parliament appointed the fifth day of August to be observed annually as a day of public thanksgiving.

CREATIONS.—29 January 1487-88, Lord Ruthven; 23 August 1581, Earl of Gowrie.

ARMS (from Sir Robert Forman's (Lyon Office) MS.).—Quarterly: 1st and 4th, argent, three pallets gules, for *Ruthven*; 2nd, or, three bars gules, for *Cameron of Ballegarno*; 3rd, or, on a bend azure three mascles of the first, for *Haliburton*, all within a bordure, or, charged with a double tressure flory counterflory gules.

CREST.—A ram's head couped sable armed or.

SUPPORTERS.—Dexter a ram, sinister a goat sable. In the seal of the third Earl they are both gorged with a coronet and chained.

MOTTO.—*Deid schaw.*

[A. F. S.]

[1] *Acta Parl. Scot.*, iii. 192-193, 195-199, 203-212. [2] Arnot, *Criminal Trials*, 83; Pitcairn, *Criminal Trials*, ii.

Gray

GRAY, LORD GRAY

THE family of Gray or Grey is common to both England and Scotland, and is generally held to be of Norman origin. In the former country the family rose to great eminence, and were raised to the Peerage with the titles of Duke of Suffolk and Kent, Earl of Stamford, Baron Grey of Codnor, Ruthen, Wilton, Rolleston, Wark, and Chillingham. The Scottish Grays are probably of the same stock, but are not met with on record in that country till the thirteenth century, when HUGO DE GRAY is mentioned as a witness in a charter of Walter de Lundin, the date of which is before 1248.[1]

Sir Hugh de Gray of the county of Berwick, and Henry de Gray of the county of Fife, were among the Scottish Barons who swore fealty to King Edward I. at Berwick on 28 August 1296.[2]

SIR ANDREW GRAY was one of those who in 1306 joined King Robert Bruce in the War of Independence. In consideration of his services he received from that monarch a grant of all the lands and tenements which belonged to Edmund de Hastings, knight, within the barony of Long-

[1] Book of Original Writs, *penes* Macfarlane, ii. 1 D. [2] *Cal. Doc. Scot.*, ii. 193, 204.

forgund, the third part of the lands of Craigie, the third part of the mill of Petarach, the third part of the lands of Wariston and Miltown in Forfarshire, dated at Arbroath 13 February 1314-15.[1] He further had charters under the great seal of the twenty-merk land of Broxmouth, and the mill in which Thomas Randolph, Earl of Moray, infeft Alexander Fraser, knight, and of the twenty-merk land of Broxmouth, given him by the Earl.[2] He had a charter from Alexander Fraser confirming to him those twenty merks of land in the tenement of Broxmouth about 1321.[3] On 2 October 1332 he was forfeited by Edward Baliol, and his lands of Broxmouth given to Sir Ivo de Aldeburgh.[4] He is said to have married Ada Gifford of the house of Yester,[5] and to have had two sons, *Sir David*, and *Thomas de Gray* who was taken prisoner at the battle of Durham 1346, and not released till 1356.[6]

Sir John Gray of Broxmouth, whose paternity has not been traced, had a charter from William de Troup of the lands of Craigie, in the county of Kincardine, which was confirmed under the Great Seal by King David II. at Perth 8 September 1355.[7] From Hugh Gifford as superior, he had a charter confirming one by Henry de Fotheringham of the lands of Laurenstoun and Huchtercuman, dated at Longforgund, Monday, 28 February 1355.[8]

He was Clerk-Register and Auditor of Accounts in 1362,[9] and as such had charters from King David II. of 200 shillings sterling from the escheats in 1363, and from the fermes of the burgh of Peebles on 31 May 1369,[10] and a grant from King Robert II. of a tenement in Leith in 1376.[11] In the Exchequer Rolls[12] are payments for his expenses to England in 1365, and to France in 1371. He was dead in 1403.[13]

He had two sons:—

1. *John*, one of the hostages for the ransom of King David II. in 1357,[14] who died before his father *s. p.*

[1] Draft Inventory of Gray Writs in Lyon Office, hereinafter called Gray Inventory, ii. No. 246; Robertson's *Index*, 26.19. [2] *Ibid.*, 12.55 and 15.5. [3] Gray Inventory, ii. No. 72. [4] *Cal. of Docs.*, iii. No. 1480. [5] Martin's Collections, i. 18 D. [6] *Fœdera*, v. 874 D. [7] Gray Inventory, ii. Nos. 103 and 104. [8] *Ibid.*, No. 472. [9] *Exch. Rolls*, ii. 84. [10] Robertson's *Index*, 67.3 and 85.198. [11] *Ibid.*, 119-28. [12] *Exch. Rolls*, ii. 223, 363, 395. [13] *Ibid.*, ii. 581. [14] *Fœdera*, vi. 35.

2. Sir Patrick, next mentioned.

Sir Patrick Gray of Broxmouth, had a charter from King Robert II. of the fee of all that part of the lands of Longforgund in Perthshire which belonged to Christian Kidd, daughter and heir of the deceased Roger Cissoris, to him and Margaret, his wife, and their heirs, dated at Perth 11 February 1373-74.[1] He entered into an indenture with Mariot Claphame, widow, at Longforgund, 16 January 1377-78, by which she leased to him five oxgates in Bordland in Longforgund, and an oxgate in Inchmartine, which belonged to her father.[2] From King Robert II. he had a grant of an annuity of £26, 13s. 4d. sterling on 23 February 1381-82. On 16 May 1406 Thomas de Strachan, lord of Glenkindie in Mar, resigned into his hands as his superior all claim he had to the lands of Snawdoun, in the barony of Craigie, in the sheriffdom of Mearns, in consideration of a certain sum of money given to him for the recovery of his lands of Glenkindie from Alexander de Forbes, son and heir of John de Forbes, lord of Forbes.[3] He entered into a bond of manrent with the Earl of Crawford, dated at Dundee 19 December 1413, whereby he became 'man of special retinue to the said Earl for his lifetime, none outtaken but amity and allegiance to the King, for which he shall have as his fee of the said Earl the town of Elith, with the brew lands, the deraland, the fleshans, the smithy land,' and the mill of that town.[4] He married a lady whose Christian name was Margaret, and had issue:—

1. Sir Andrew, his heir.
2. *Alexander.*
3. *Patrick.*
4. *George*, all mentioned in a charter of 10 May 1424.[5]
5. *Margaret*, married to Sir William Hay of Errol, Constable of Scotland.
6. *Marion*, married to —— Lindsay.
7. *Elizabeth*, married to Andrew Moncur of that Ilk, to whom Thomas Hay of Errol on 29 June 1394 granted permission to dower her from the lands of Rosseclerach.[6]

[1] *Reg. Mag. Sig.*; Gray Inventory, ii. No. 247. [2] *Ibid.*, No. 248. [3] *Ibid.*, No. 537. [4] *Ibid.*, No. 9. [5] *Ibid.*, No. 123. [6] No. 532.

Sir Andrew Gray of Broxmouth, the eldest son, had a safe-conduct to go into England to concert measures for the release of King James I. on 20 December 1423.[1] He granted a charter, dated at Foulis 10 May 1424, to Patrick Scott, burgess of Dundee, of some tenements in Dudhope, which charter was witnessed by Andrew, his son, Alexander, Patrick, and George, his brothers, John, his natural and legitimate son, and others.[2] On 7 February 1435-36 he had a charter to him and Elizabeth, his wife, of the lands of Woodtowns, in the county of Kincardine. He granted a charter to his son Andrew Gray, by Elizabeth Buchanan, his wife, of part of the barony of Longforgund, and the heirs-male of his body, whom failing, to Patrick, William, and John, his sons, also by said Elizabeth, dated 7 May 1439. Among the witnesses to this charter are Andrew Gray, his son and heir, John Gray, his son, Thomas Gray and William Gray, 'nepotibus meis.'[3] He was dead in 1441.[4] He married, first, Janet, daughter of Sir Roger de Mortimer and his wife Margaret, daughter of Alexander of Menteith, as appears from a charter of King Robert II., dated at Dundee 20 June 1377,[5] proceeding on a resignation by Sir Roger of the lands of Foulis, in the county of Perth, in favour of the spouses and their heirs; and, secondly, Elizabeth, daughter of Sir Walter Buchanan, knight, to whom Sir John Scrimgeour, Constable of Dundee, granted an assignation of 500 merks contained in an obligation by Sir Andrew, her husband, to him, dated 28 July 1436. She married, secondly, Thomas Oliphant of Dron,[6] and was dead in 1471.

Issue by first marriage:—

1. Andrew, his heir.
2. *Thomas*, whose son Thomas had sasine in a tenement in Dundee 29 April 1445.[7]
3. *Janet*, married Sir Alexander Ogilvy of Auchterhouse.
4. *Elizabeth*, married to Sir Thomas Maule of Panmure, who was killed at the battle of Harlaw 1411.[8]
5. —— a daughter, married to John Ross of Kinfauns.[9]
6. —— a daughter, married to Herring of Glasclune.

[1] *Cal. of Docs.*, iv. 942. [2] Gray Inventory, ii. No. 123. [3] *Ibid.*, ii. 4. [4] *Exch. Rolls*, v. 40, 103. [5] Gray Inventory, ii. No. 249. [6] *Exch. Rolls*, vi. [7] Gray Inventory, ii. No. 146. [8] *Registrum de Panmure*, i. xxii., ii. 188. [9] Charter of 10 May 1424.

7. —— a daughter, married to William Auchterlony of Kelly.[1]
8. —— a daughter, married to David Annand of Melgum.
9. —— a daughter, married to Maclellan of Bombie.
10. —— a daughter, married to —— Parker, whose son Patrick is a witness to the charter of 10 May 1424 above mentioned.

Issue by second marriage:—

11. *Andrew*, who had a charter of the lands of Ballegarno in Perthshire from George, Lord Haliburton, on 15 August 1475.[2] He married Christian Boyd.[3]
12. *Patrick.* 13. *William.*
14. *John*, all mentioned in the charter of 7 May 1439 above narrated.
15. *Margaret*, married, first, to William Murray of Tullibardine (*see title* Atholl), and secondly, to George Clephane of Carslogie.

I. Andrew Gray of Foulis, born about 1390, was one of the hostages for King James I. in 1424, and confined at Pontefract Castle and in the Tower of London.[4] His annual revenue was estimated at 600 merks. He obtained liberty to return to Scotland in exchange for Malcolm Fleming, younger of Cumbernauld, on 9 November 1427.[5] He was one of the train of knights who accompanied Margaret of Scotland to France on her marriage to the Dauphin.[6] He had sasine in the lands of Foulis in 1443,[7] and in Broxmouth in 1445,[8] probably in succession to his father, as on 6 July 1445 he granted as Dominus de Gray a charter to Patrick, his son, and Annabella Forbes, his wife, of the lands of Woodtowns and others in Kincardine.[9] He was created a Lord of Parliament as LORD GRAY about the year 1445, when he is first styled by that title.[10] On 7 October 1449 he had a charter to him and Elizabeth, his wife, of the lands of Littletown.[11] He was ambassador to England in 1449 and 1451, and guarantor of the truces with that nation in these years. He went on a pilgrimage to

[1] Charter of 10 May 1424. The marriages of the other daughters are given on the authority of Douglas. [2] *Reg. Mag. Sig.* [3] *Acta Dom. Conc.*, xviii. 2, f. 111. [4] *Fœdera*, x. 334, 335, 382. [5] *Cal. of Docs.*, iv. 1011. [6] Fordun, ii. 485. [7] *Exch. Rolls*, ix. 458. [8] *Ibid.*, 459. [9] Gray Inventory, ii. 563. [10] *Exch. Rolls*, v. 198. [11] Gray Inventory, ii. 248.

Canterbury, for which he had a safe-conduct from the King of England on 22 January 1452.[1] The same year he was appointed Master of the Household to King James I.[2] from whom he obtained permission to build a castle on any of his lands he thought proper,[3] and in consequence erected the castle of Huntly, which was long the chief residence of the family. In 1459 he was one of the Wardens of the Marches, and on 23 August 1462, he, with consent of Elizabeth Gray, his wife, Patrick Gray of Kinneff, and Sir Andrew Gray, his eldest son, granted a charter of the lands of Killibroch to John Stewart of Ferterkill.[4] He died towards the end of 1469. He married (contract dated at Foulis 31 August 1418,[5] Elizabeth, daughter of Sir John Wemyss of Rires. By this contract it was stipulated that he, as son and heir of Andrew, Lord of Foulis, should wed the said Elizabeth, and that Sir John Wemyss, her father, should convey to them and the heirs procreated betwixt them twenty pounds worth of land in fee and heritage in the earldom of Atholl, and on the other hand, Andrew, Lord of Foulis, should give twenty pounds worth of land to them, and if it happened that the lands of Sir Patrick, the grandfather, were in his hands in whole or or in part, the said Andrew should get ten merks worth additional; Sir John Wemyss was also to give 300 merks. This contract proves that Andrew was the son of Andrew, Lord of Foulis, and grandson of Sir Patrick, who in 1377 was contracted in marriage to Janet Mortimer. Elizabeth Wemyss survived her husband, as appears from an infeftment to her in the terce of Tullibody on 15 May 1470.

They had issue:—

1. PATRICK, Master of Gray.
2. *Andrew*, 'scutifer regis,' who had a charter of the lands of Cluny on the resignation of Sir Andrew Gray of Kinneff on 13 April 1466.[6] He is said to have had several sons, one of whom, Alexander, merchant in Aberdeen, made a considerable fortune, and married Elizabeth Hay.[7] He had a charter of the lands of Newton of Schives in Aberdeenshire on the

[1] *Fœdera*, 235, 243, 244, 254, 294, 300, 306, etc. [2] *Exch. Rolls*, v. 491. [3] Gray Inventory, i. 4. [4] *Reg. Mag. Sig.*, 25 December 1466. [5] Gray Inventory, ii. 415. [6] *Reg. Mag. Sig.*; *Exch. Rolls*, ix. 671. [7] *Reg. Mag. Sig.*, 8 July 1516.

resignation of William Gordon of Schives on 27 November 1512.[1] He (Andrew) is said to be the ancestor of the Grays of Skibo.

3. *David*, who, on 16 January 1449 took a notarial instrument upon the depositions made by witnesses relative to the cassation by Sir Andrew Gray of Foulis of all letters of obligation which might redound to the advantage of Dame Elizabeth Buchanan his spouse or her children,[2] except the one for 600 merks to Patrick his eldest son, and 90 merks to Margaret his daughter.
4. A daughter (*Margaret*), married to Robert, first Lord Lyle, who is styled 'son' of Andrew, Lord Gray, as appears in the above-mentioned charter of Woodtowns in 1445.
5. *Christian*, married (contract dated 14 February 1463) to James Crichton of Strathurd.

PATRICK, Master of Gray, had a charter of the lands of Kinneff from Alexander Ogilvy of Kinneff on 1 April 1458.[3] On 23 August 1463 he had a reversion from John Stewart of Ferterkill of the lands of Killibroch, which, as above mentioned, had been sold to the said John by his father Andrew, Lord Gray.[4] He died before 1 September 1464, when a brieve was issued for serving his son Andrew heir. He married, first, Margaret, daughter of Sir Malcolm Fleming of Biggar and Cumbernauld, as appears from an obligation by the said Malcolm to Andrew Gray, Lord of Foulis, for 600 merks Scots because of this marriage, dated 7 February 1439-40.[5] But the union can only have subsisted for a short time, as before 1445 he married, secondly, Annabella, daughter of Alexander, first Lord Forbes, by whom he had issue:—

1. ANDREW, second Lord Gray.
2. *Janet*, married, first, to Alexander Blair of Balthayock;[6] second, after 1502, Thomas, third Lord Lovat, who died 21 October 1524; and third, before 1535, to Sir David Lindsay of Edzell,[7] ninth Earl of Crawford.
3. *Elizabeth*, married David Rollock of Ballachie.
4. —— a daughter, married to Andrew Monorgund of that Ilk.

[1] *Reg. Mag. Sig.*; *Antiq. of Aberdeen*, iii. 70. [2] Gray Inventory, i. 3. [3] *Ibid.*, ii. No. 375. [4] *Reg. Mag. Sig.*, 25 December 1466. [5] Gray Inventory, ii. 525. [6] *Ibid.*, 511. [7] *Reg. Mag. Sig.*, 12 June 1535.

5. —— a daughter, married to Collace of Balnamoon.

II. ANDREW, second Lord Gray, was served heir to his father on 5 November 1464[1] in the loch, mount, castle, and wood of Cluny in Perthshire, and had a precept of sasine from David, Earl of Crawford, for infefting him in the lands of Leitfie, in the barony of Ballendoch, as son of Sir Patrick Gray of Kinneff, and nearest and lawful heir to Andrew, Lord Gray, his grandfather, 20 January 1469-70.[2] He was one of the Privy Council of King James IV., and on the resignation of David, Earl of Crawford, had charters of the office of Sheriff of the county of Forfar 14 December 1488,[3] of the lands of Lundy in Forfarshire, forfeited by Robert, Lord Lyle, 29 June 1489;[4] of the rock and castle of Bruchty on the resignation of Archibald, Earl of Angus, 26 June 1490,[5] of the lands of Balgillo forfeited by John Wishart of Pitarrow 29 June 1499,[6] of part of Newton and Flisk 28 July 1503,[7] of Longforgund, on his own resignation 7 January 1508-9,[8] and of Gothrastown 8 June 1512.[9] He was appointed to the office of Justice-General north of the Forth on the forfeiture of Lord Lyle in 1489, and Justice-General south of the Forth in 1506, as appears from a decreet in a court held at Ayr 20 October 1511. He took a leading part in the conspiracy against James III., which ended in the murder of that King after the battle of Sauchieburn in 1488, and has even been accused, but without authority, of having been one of the actual murderers. He died in February 1513-14, an inventory of his effects being taken at Foulis on 8 March 1513-14. By contract of marriage dated at Perth 31 May 1457, between William, Earl of Errol, on the one part, and Andrew, Lord Gray, and Patrick Gray his son, on the other, it was agreed that Andrew, as son and apparent heir to said Patrick, should marry Elizabeth Hay, daughter of the said Earl,[10] but this marriage does not seem to have been completed. He married, first, Janet, only daughter of Robert, Lord Keith, son of William, Earl Marischal,[11] and had issue; and secondly, before 1483, Elizabeth Stewart, third daughter of John, Earl of Atholl (brother uterine of James II.), by his first wife Margaret,

[1] Gray Inventory, ii. 93. [2] *Ibid.*, No. 431. [3] *Ibid.*, No. 229; *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.* [9] *Ibid.* [10] *Antiq. of Aberdeen and Banff*, iii. 136. [11] Gray Inventory, ii. No. 241.

daughter of Archibald, Earl of Douglas, and had issue; and thirdly, Margaret Houston, widow of his nephew Robert, second Lord Lyle.[1]

Issue by first marriage:—

1. PATRICK, third Lord.
2. *Isobel*, married to Alexander Stratoun of Lauristoun in Kincardineshire, and had issue.
3. *Elizabeth*, married, first, in 1487, to John, fourth Lord Glamis, as appears from an obligation,[2] of her father to John, third Lord Glamis, for £1000 for the marriage completed and solemnized between John, his son and apparent heir, and the said Elizabeth, dated 18 May 1487.[3] He died 1500. She was married, secondly, in 1511, to Alexander, third Earl of Huntly, who died at Perth 16 January 1523-24, and was buried in the Blackfriars Church;[4] and thirdly, in 1525, to George, fourth Earl of Rothes, with whom she had a charter of the barony of Ballinbreich 5 June 1525.[5]

Issue by second marriage:—

4. *Robert*, of Leitfie,[6] killed at the battle of Flodden 1513.
5. *Gilbert* of Buttergask aftermentioned.
6. *Andrew* of Muirtown, died before 13 April 1541.[7] He had a son *Patrick*, who had charters of the lands of Balgillo in Forfarshire in liferent 7 June 1540 and 10 April 1543,[8] and possibly another son, *Andrew*, from whom Sir William Gray of Pittendrum is said to be descended.[9]
7. *Edward*, rector of Lundy, built Loretto chapel in Perth, and had a charter of the lands of Inchyra 5 October 1521.
8. *Isobel*, married, first, about 1495, to Sir James Scrimgeour of Dudhope, Constable of Dundee,[10] who died about 1503; secondly, before 1510, to Adam Crichton of Ruthven, who died before 18 November 1516;[11] and

[1] *Acta Dom. Conc.*, x. 192. [2] *Acta Dom. Aud.*, 150. [3] *Reg. Mag. Sig.* [4] Blackfriars of Perth, 130. [5] *Reg. Mag. Sig.*, 9 June, where she is incorrectly styled Grayme. [6] *Ibid.* [7] Gray Inventory, ii. 487. [8] *Reg. Mag. Sig.* [9] See declaration by Andrew Gray elder and George Gray younger of Scheves, dated 15 July 1686, that Andrew Gray, grandfather of Sir William Gray, was uncle (probably a mistake for nephew) to Robert Gray of Sheves (? Leitfie) slain at the battle of Flodden (Gray Inventory, ii. 641). [10] *Reg. Mag. Sig.*, 30 June 1495. [11] *Ibid.*

thirdly, before 1521, to Sir John Campbell of Lundy, with whom she had a charter of the lands of Boquhan 27 April 1529.[1]

9. *Janet*, married, first, to John Charters of Cathelgurdie;[2] secondly, to (? Alexander) Keith, son of Sir William Keith of Inverugie, with issue; thirdly, to Sir David Wemyss of that Ilk, who was killed at Flodden 1513; as Lady Wemyss she had a charter of Torsoppy in Perthshire 24 February 1523-24; and fourthly, about 1530, to James Campbell of Lawers. She died in October 1539.
10. *Marjory*, married, first, to Kinninmont of that Ilk, and secondly, to Silvester Rattray of Craighall.[3]
11. *Elizabeth*, contracted to Walter, grandson of John, Lord Drummond, which contract was discharged in January 1501-2.[4]
12. *William* (probably a natural son), who, along with his brother Patrick, Master of Gray, and others, had a remission for plundering the house of Kinnaird 10 September 1488.[5] He married Marion Fullarton.[6]

III. Patrick, third Lord Gray, the eldest son, was Carver to the King in 1498;[7] he had charters as such of the lands of Killibroch in Perthshire on 8 August 1511 and 12 February 1511-12.[8] He succeeded his father in 1514, and was served heir to him 15 March 1515-16[9] in the lands of Bawgillo, with the mills thereof, the rock and lands of Bruchtie, with the castle fortalice thereof, and the office of sheriffship of Forfar. He had charters of the lands and baronies of Forgund, Castle Huntly, and Foulis in Perthshire, and others on 16 April 1524,[10] to him and the heirs-male of his body, whom failing, to Gilbert Gray of Buttergask, his brother, and the heirs-male of his body, whom failing, to his own nearest heirs-male bearing the name and arms of Gray. He died at Castle Huntly in April 1541. By indenture dated 25 April 1476,[11] betwixt Andrew, Lord Gray, and David Ogilvy of Inchmartine, he was contracted in marriage to Christian Ogilvy, daughter of the said David,

[1] *Reg. Mag. Sig.* [2] See testament of Lord Gray her father, Gray Inventory, ii. 511. [3] *Ibid.* [4] *Acta Dom. Conc.*, xii. 39. [5] Foulis Easter Charters. [6] *Acts and Decreets*, i. 216. [7] *Exch. Rolls*, xi. 103. [8] *Reg. Mag. Sig.* [9] Gray Inventory, ii. 29. [10] *Reg. Mag. Sig.* [11] Gray Inventory, No. 250.

but this marriage did not take place, as appears from a discharge by the said David Ogilvy to Lord Gray dated 16 January 1503-4.[1] He married, about February 1492-93, Janet Gordon, second daughter of George, second Earl of Huntly, Chancellor of Scotland. She was the relict of Alexander, Master of Crawford, whom she is accused of having smothered in the Castle of Inverqueich.[2] From John, Master of Crawford, her first husband's brother, she, as then wife of Patrick, Lord Gray, had a renunciation of a lease and feu of the Castle of Inverqueitht, dated 3 February 1492-93. This marriage appears to have been dissolved between March 1501 and March 1508, as at the latter date she appears as the wife of Patrick Butter of Gormock.[3] She was married, fourthly, before November 1535, to James Halkerston of Southwood.[4]

Patrick, third Lord, left no legitimate issue, but he had a natural daughter *Janet*, who had a charter in liferent from Patrick Ogilvy of Inchmartine 6 April 1541.[5] She was married, first, to William Ogilvy of Inchmartine, and had issue; and secondly, before 1566, to James Sandilands of St. Monance.[6]

GILBERT GRAY of Buttergask, third son of Andrew, second Lord Gray, had a charter of the lands of Pokemill in Perthshire 16 April 1504,[7] and another of Buttergask and Legertlaw in the same county, on the resignation of Margaret Buttergask of that Ilk, 7 June 1507.[8] He was admitted a guild brother of Dundee 3 October 1513, and died before 1541. By his wife Egidia, daughter of Sir Laurence Mercer of Aldie,[9] he had issue:—

1. PATRICK, fourth Lord Gray.
2. *Robert* of Drummalie, which estate he acquired from Robert Crichton of Eliock, Lord Advocate, 15 May 1570. He married Marjorie, daughter of Thomas Strachan of Carmylie,[10] and had issue:—

(1) *Robert* of Drummalie, who had a charter of the lands of

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[1] Gray Inventory, ii. 10. [2] *Lives of the Lindsays*, i. 170. [3] *Acta Dom. Conc.*, xix. 320. [4] Haigh Charters. [5] *Reg. Mag. Sig.*, 13 April 1541. [6] *Ibid.*, 29 November 1570. [7] *Ibid.*, 9 March 1505-6. [8] *Ibid.* [9] Gray Inventory, ii. 74. [10] Forfar Sheriff Court Book, 25 November 1568.

Middle Mawis, etc., in the lordship of Scone, 7 February 1613,[1] and died in February 1626.

(2) *Margaret*,[2] to whom her father conveyed the lands of Balgray 19 January 1575-76.

3. *James* of Buttergask, who with his brothers Patrick and Robert is mentioned in a charter by David, Cardinal Beaton, to Patrick, Lord Gray, of the lands of Idvies and others in Forfarshire 20 October 1544.[3] He had a charter of the lands of Meikle Buttergask, 21 June 1553,[4] to himself and Margaret Scott his spouse. He died before 1595,[5] and had issue :—

(1) *Thomas*, who married (contract dated 20 and 24 June 1586) Margaret Kinnaird.[6]

(2) *Robert*.[7]

4. *Geilis*, married, first, to Alexander Whitelaw of Newgrange ;[8] and secondly, to Alexander Gardin in Drumgeich, and died in October 1597.[9]

IV. PATRICK GRAY of Buttergask, the eldest son, had a charter to himself and the heirs-male of his body, whom failing, to Robert Gray his brother-german, of the lands and baronies of Foulis, Blacklaw, Langforgun, and Castle Huntly in Perthshire, the third part of the barony of Dundee, the lands and crag of Brochty, Balgillo, Gothrastoun, Petcarrow, and Kingslaw in Forfarshire with the office of Sheriff of that county and an annualrent out of the customs of Dundee, on the resignation of Andrew Stratoun of Lauriston, one of the two heirs and successors of Patrick, second Lord Gray, which lands were erected into a free barony with novodamus 28 April 1542.[10] As Patrick, Lord Gray, he had a charter of confirmation of same 14 September 1542.[11] He was taken prisoner by the English under Dacre and Musgrave at the rout of Solway Moss 1542,[12] placed under the custody of the Archbishop of York, his income being estimated at 400 merks sterling per annum, but was shortly afterwards released by paying a ransom of £500. He had charters of the Mains of Huntly 5 November 1542[13] to him and his heirs-male whomsoever,

[1] *Reg. Mag. Sig.* [2] Gray Inventory, ii. 34. [3] *Ibid.*, ii. No. 348; *Reg. Mag. Sig.*, 7 November 1544. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Acts and Decreets*, xlii. 436. [9] *Ibid.*, lxxxii. 18; Edin. Tests. [10] *Reg. Mag. Sig.* [11] *Ibid.* [12] Lodge, i. 38. [13] *Reg. Mag. Sig.*

of part of the barony of Rescobie in Forfarshire from Cardinal Beaton for his faithful help and assistance to the church 20 October 1544,[1] to him and the heirs-male of his body, whom failing, to Robert and James his brothers; and of part of the lands of Foulis to him and Marion Ogilvy his wife 4 November 1544.[2] He was one of the first of his rank who countenanced the Reformation in 1560. He was taken prisoner at the Raid of Swinton in 1562, but was released on ransom.[3] In 1567 he joined the association in support of King James VI., and died in 1584,[4] his testament being dated 18 August 1581.[5] He married (contract dated 21 September 1537) Marion, daughter of James, fourth Lord Ogilvy of Airlie.[6] She had charters of the dominical lands of Foulis in 1543, 1544, and 1569.[7] They had issue:—

1. PATRICK, fifth Lord Gray.
2. Captain *Andrew*, charged with assaulting Robert Rollock of Muretoun and Thomas Gourlay of Dargo in April 1610,[8] died before 16 February 1611.[9]
3. *Gilbert* of Bandirran, witnessed a charter along with his brother James of the dominical lands of Fowlis 16 July 1569,[10] Provost of Foulis 27 November 1564,[11] had a charter of the lands of Ballumby 22 August 1583,[12] and of the lands of Davidstoun, Cowstoun, and others 10 May 1591,[13] was admitted burgess of Dundee 19 January 1589, and died 12 August 1592.[14] He married, first (contract 1 April 1583), Marion, daughter of John Carnegie of that Ilk.[15] She died 28 May 1585,[16] and had issue. He married, second (contract at Rossy 18 April 1587), Elizabeth, daughter of Peter Hay of Megginch,[17] and had issue. Issue by first marriage:—

   (1) *Agnes*, only child.

   Issue by second marriage:—

   (2) *Patrick*,[18] died young.
   (3) *Gilbert*, mentioned in his father's testament.

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[1] *Reg. Mag. Sig.*, 7 November 1544. [2] *Reg. Mag. Sig.* [3] *Cal. Scot. Papers*, i. 617. [4] Perth Retours, 77. [5] Gray Inventory, ii. 513. [6] *Ibid.*, 443. [7] *Reg. Mag. Sig.* [8] *P. C. Reg.*, ix. 22. [9] Forfar Inhibitions. [10] *Reg. Mag. Sig.* [11] Foulis Easter Inventory. [12] *Reg. Mag. Sig.* [13] *Ibid.* [14] Edin. Tests., 26 February 1594-95. [15] Gray Inventory, ii. 553. [16] Edin. Tests., 26 November 1590. [17] *Reg. Mag. Sig.*, 29 June 1589. [18] *Reg. Sec. Sig.*, lv. 175.

(4) *Euphan*, served heir to her father 23 December 1609,[1] married to Sir Patrick Kinnaird of Inchture.

(5) *Marie*, died before 15 January 1612, when her testament was given up.[2]

4. *James*, married Elizabeth, daughter of Sir John Bethune of Creich, and widow of James, Lord Innermeath, whose brother, John Stewart, he sued for delivery of the house of Reidcastle in Angus, which pertained to him and his said spouse, and assailing the said house of Reidcastle on 3 February 1580-81,[3] he was denounced rebel.[4] He was accused of adultery and incest with Isobel Bethune, his wife's niece, by whom he had a child,[5] and in consequence was divorced by his wife 10 June 1581.[6] He was slain in Dundee 1585-86.[7]
5. *Robert*, had a remission, with others, for invading the palace of Falkland 15 August 1593.[8]
6. *Sir Patrick* of Invergowrie had a charter of annual-rent out of the lands of Balgawie to himself and Euphemia Murray, his spouse, on 18 May 1589,[9] and died 31 August 1606.[10] He married, first, Euphemia, daughter of William Murray of Tullibardine, widow of Robert Stewart of Rosyth, and of Robert Pitcairn, Commendator of Dunfermline; she died 24 August 1596;[11] and, secondly (contract 16 December 1596[12]), Agnes, daughter of Sir Archibald Napier of Edinbillie, who survived him and married Harry Balfour of Balgay, and afterwards John, son to James, sixth Lord Ogilvy of Airlie. He had issue *Patrick* of Invergowrie, afterwards of Kinnell,[13] also *Andrew*, *Agnes*, *Euphan*, *Elizabeth*, and *Marion*, named in his testament.
7. *Marion*, died June 1582,[14] married, first, to Patrick, Master of Ruthven, who died shortly thereafter *s. p.*; secondly (dispensation dated 12 April 1561), Patrick Ogilvy of Inchmartine.[15]
8. *Mary*, contracted to William, Master of Ruthven,

[1] *Inq. Spec. Perth*, 204. [2] Brechin Tests. [3] *P. C. Reg.*, iii. 125, 276. [4] *Ibid.*, 361. [5] *Ibid.*, 155. [6] Edin. Com. Decreets. [7] *Reg. Sec. Sig.*, liii. 141. [8] *Reg. Mag. Sig.* [9] *Ibid.* [10] Edin. Tests., 29 June 1607. [11] *Ibid.*, 5 January 1596-97. [12] Protocol Book of J. Lawson, 97. [13] *Reg. Mag. Sig.*, 27 June 1636. [14] Edin. Tests. [15] *Reg. of Deeds*, vi. 19.

afterwards first Earl of Gowrie,[1] which did not take effect; married (contract dated 12 April 1568) to David Seton of Parbroath, Comptroller of Scotland.[2] He died before 1600, when she is called his widow.[3]

9. *Agnes*, married, first, before 14 September 1557, to Robert Logan of Restalrig,[4] who died on or about 26 August 1561;[5] secondly, after 1565, to Alexander, fifth Lord Home; and, thirdly, after 1575, to Thomas Lyon of Balducky, Master of Glamis.[6]
10. *Elizabeth*, contracted when young to Robert Guthrie of Lunan 18 December 1553,[7] but the marriage did not take place. Married (contract dated 16 April 1568) to Laurence Bruce of Cultmalindie.[8]
11. *Helen*, married to Sir David Maxwell of Tealing.[9]
12. *Margaret*, married (contract dated 1 April 1562[10]) to James Ogilvy of Balfour.
13. *Isobel*, married, first (contract dated 4 September 1563[11]), to David Strachan of Carmylie;[12] and, secondly, to Sir Alexander Falconer of Halkerton; and died 20 October 1589.[13]
14. *Agnes* (*Anne*), married (contract 16 January 1581-82[14]) to Patrick Douglas of Kilspindie.[15]
15. *Lilias*, died March 1614;[16] married, first (contract 23 August 1582[17]), to David Tyrie of Drumkilbo, and, secondly (contract 20 October 1592[18]), to John, Master of Oliphant.

V. PATRICK, fifth Lord Gray, eldest son, was born in 1538, and had charters of the barony of Kilmalamok, Forester Seat, etc., and of the lands of Over and Nether Mombenis and Bogside, which belonged to the friars of Elgin, on 16 December 1581.[19] He was appointed an extraordinary Lord of Session on 8 May 1578 in room of Lord Boyd, who had been suspended, and held the office till 25 October in same year, when Lord Boyd was restored. He was

[1] Gray Inventory. [2] *Ibid.*, ii. 455. [3] *Ibid.*, 465. [4] *Reg. Mag. Sig.* [5] Protocol Book of James Harlaw, ff. 161, 162. [6] *Ibid.* [7] *Acts and Decreets*, x. 226. [8] Gray Inventory, ii. 453. [9] *Acts and Decreets*, xxxii. 86. [10] *Ibid.*, xci. 85. [11] *Ibid.*, xlix. f. 49; xci. f. 322. [12] Gray Inventory, ii. 551. [13] Edin. Tests. [14] *Reg. of Deeds*, xxiv. 192. [15] Gray Inventory, ii. 552. [16] St. Andrews Tests., 18 November 1615. [17] *Acts and Decreets*, xcix. 48. [18] *Reg. of Deeds*, xliv. f. 445. [19] *Reg. Mag. Sig.*

again appointed on 12 November 1584, on the promotion of the Earl of Arran, but was superseded by Lord Boyd on 21 June 1586.[1] He succeeded his father in 1584, was admitted a Burgess of Dundee 13 January 1589, and died before 10 March 1608.[2] He married (contract dated 14 January 1556-57[3]) Barbara, fourth daughter of William, Lord Ruthven, who as sister-german to Patrick, Lord Ruthven, and wife of Patrick, Master of Gray, had a charter on 5 February 1562-63 of the lands of Overmains of Foulis.[4] They had issue :—

1. PATRICK, sixth Lord.
2. *Gilbert*, of Mylnhill, Burgess of Dundee, 13 January 1589, who married Elizabeth Gib.[5]
3. *James*, Gentleman of the King's Bedchamber, 1592,[6] stole one of the King's horses,[7] and in 1593 was denounced rebel for abducting Katherine, daughter of John Carnegie of that Ilk, from the house of Robert Joussey, merchant in Edinburgh, and keeping her captive against her will.[8] He afterwards claimed to have married her and took instruments to that effect, but she married Sir John Hamilton of Lettrick.[9] He had a charter of the lands of Davidstoun, Cowstoun, etc., in Forfarshire 6 December 1592.[10]
4. *William*, of Bandirran, afterwards in Inchture, Sheriff-depute of Forfar, admitted Burgess of Dundee 13 January 1589-90, was charged before the Privy Council with breaking up the House of Bonnytoun 7 April 1601, and found caution.[11] On 14 June 1605 he had a charter to himself and Elizabeth Gray, his spouse, of the lands of Bandirran from Patrick, Lord Gray, and Patrick, Master of Gray.[12] As assignee of his deceased brother James, he, as William Gray of Pitscandlie, assigned a lease of the teinds of the lands of Easter and Wester Newtouns to his brother Patrick, Lord Gray, on 11 February 1611.[13] He married Elizabeth Gray, Lady Inchture, relict of Patrick Kinnaird of Inchture.

[1] Brunton and Haig, 169. [2] *Reg. Mag. Sig.*, 17 March 1608. [3] Gray Inventory, ii. 451. [4] *Reg. Mag. Sig.* [5] *P. C. Reg.*, viii. 482. [6] Gray Inventory, ii. 451. [7] *P. C. Reg.*, iv. 704. [8] *Ibid.*, v. 86. [9] Edin. Tests, 17 November 1595-96. [10] *Reg. Mag. Sig.* [11] *P. C. Reg.*, vi. 680. [12] *Reg. Mag. Sig.* [13] Gray Inventory, ii. 515.

5. *Andrew*, of Bullion, Burgess of Dundee 28 October 1601, died before 18 August 1604. He married Margaret Reid, and had issue.
6. *Robert*, of Milhill and Cranneslie, had a remission under the Great Seal on 15 August 1593 for invading the palace of Falkland.[1] He had a disposition from Gilbert Gray, his brother, of the lands of Milhill, in the county of Perth, on 11 April 1600.[2] He married Jean, daughter of Robert Lauder of Bass, widow of Sir James Forrester of Corstorphine, Sir John Campbell of Cawdor, and Mr. John Lindsay, parson of Menmuir.
7. *Barbara*, married to Sir John Cranstoun of Morristoun.[3]

VI. PATRICK, sixth Lord Gray, was educated at the University of St. Andrews. He subsequently went to France, where he was on terms of friendship with the Duke of Guise, and on his return to Scotland he attached himself to the person of King James VI., and was by that monarch appointed a Gentleman of the Bedchamber 4 October 1584,[4] Master of the Wardrobe 7 October 1584,[5] a Privy Councillor and Commendator of Dunfermline 22 September 1585.[6] The same year he was sent Ambassador to England, and again in 1586 to intercede with Queen Elizabeth on behalf of Queen Mary. Shamefully betraying his trust, he was banished from Scotland in 1587, and resided in Italy for some years. On 15 August 1593 there is a remission to him and sixteen others under the Great Seal for invading the palace of Falkland and the presence of the King. On 25 September 1596 he received a passport to make a tour of Europe.[7] He had a charter of the lands of Litfie and others, in Perthshire on 8 August 1605;[8] succeeded his father in 1608, and died in 1612. His letters and papers were published in 1835 by the Bannatyne Club.

He married, first (contract dated 18 May 1575[9]), Elizabeth, second daughter of John, eighth Lord Glamis, Chancellor of Scotland, by whom he was divorced for adultery 21 May 1585.[10] She married, secondly (contract 14 February

[1] *Reg. Mag. Sig.* [2] Gray Inventory, ii. 485. [3] *Reg. Mag. Sig.*, 13 January 1580-81. [4] Gray Inventory, i. 11. [5] *Ibid.*, 12. [6] *Reg. Sec. Sig.* [7] Gray Inventory, i. 12. [8] *Reg. Mag. Sig.* [9] Gray Inventory, ii. 457. [10] *Edin. Com. Decreets.*

1586-87[1]), William Ker or Kirkcaldy of Grange. Lord Gray married, secondly (contract 25 November 1585[2]), Mary Stewart, eldest daughter of Robert, Earl of Orkney,[3] and had issue:—

1. Andrew, seventh Lord Gray.
2. *Patrick*, entered Douay College 31 October 1620, being then fourteen years of age, and died in Germany.[4]
3. *Jean*, married (contract dated 8 and 15 September 1609[5]) to John, first Earl of Wemyss, and died at Easter Wemyss 17 August 1639, leaving issue.
4. *Agnes*, married (contract dated 30 January 1610[6]) to William, Earl of Strathern, Menteith, and Airth.
5. *Mary*, married to James, third Lord Lindores.
6. *Elizabeth*, married (contract dated 28 April 1616[7]) to Sir John Leslie of Newton, who was killed at the storming of Dundee 1 September 1651.[8]
7. *Helen*, married (contract dated 11 September 1622[9]) to Andrew Bruce of Earlshall.
8. *Isobel*, married (contract dated 23 and 30 July 1623) to Sir Robert Carnegie of Dunnichen. He died *s. p.* in December 1632.[10]

VII. Andrew, seventh Lord Gray, as Master of Gray, had a charter of the barony of Forgund, Foulis, etc., on 20 June 1611,[11] succeeded his father in 1612, and as Lord Gray had a charter to himself and Anne Ogilvy, his wife, of the dominical lands of Foulis, Huntlie, etc., 22 February 1613-14.[12] He was admitted a burgess of Dundee 2 September 1620, became lieutenant of the Gens d'Armes in France under Lord Gordon in 1624, and was engaged in the wars there.[13] He resigned his office of heritable Sheriff of Forfarshire to King Charles I. in consideration of a bond by His Majesty for 50,000 merks, which was never paid. On 6 October 1645 he was banished the kingdom by Parliament never to return under pain of death for being with Montrose, which sentence does not appear to have been carried out. For being a Roman Catholic he was excommunicated

[1] *Deeds*, xxvi. 224. [2] *Ibid.*, xxiv. pt. ii. 200. [3] *Reg. Mag. Sig.*, 28 February 1606. [4] *Fifth Rep. Hist. MSS. Com.*, 653. [5] Gray Inventory, ii. 472. [6] *Ibid.*, 473. [7] *Ibid.*, 479. [8] Lamont's *Diary*. [9] Gray Inventory, ii. 481. [10] *History of the Carnegies*, i. 63. [11] *Reg. Mag. Sig.* [12] *Ibid.* [13] Gordon's *History*, iii. 12.

by the Commission of the General Assembly in 1649, and in 1654 was fined £1500 under Cromwell's Act of Grace and Pardon. He was prevailed upon by King Charles II. and the Duke of York, then in exile, to resign his lieutenancy of the Gens d'Armes in France in favour of Marechal Schomberg, which office had long been held by Scotsmen, but never was afterwards. Having no surviving issue he resigned his honours in the King's hands, and on 8 January 1638 obtained a new patent[1] to himself in liferent, with remainder to William Gray, eldest son of William Gray of Pittendrum, and the heirs-male to be procreated betwixt him and Anne, Mistress of Gray, his future wife, whom failing, to the other heirs-male of the body of William Gray, junior, whom failing, to the said William Gray of Pittendrum and his heirs-male whatsoever bearing the name and arms of Gray; the said William Gray, junior, bearing the style and title of Master of Gray during Lord Gray's lifetime and after his death the title of Lord Gray, with all the dignities, privileges, and precedency due to the Lords Gray, his predecessors, which patent was ratified in Parliament 17 November 1641. By a deed dated 5 March 1639 the estates were entailed on the same series of heirs. He died in 1663.

He married, first (contract dated 3 December 1608),[2] Anne, daughter of Walter, Lord Deskford, sister of James, first Earl of Findlater, and relict of James Douglas, Earl of Buchan, and had issue; secondly, in 1627, Mary, said to be widow of Sir John Sydenham, Bart., of Brompton, and to be aged eighty.[3] She died before 1632 at St. Giles-in-the-Fields, the Letters of Administration of her estate being dated 4 and 16 January 1632. He married, thirdly, before 1639, Dame Catherine Caddell,[4] and had issue.

Issue by first marriage:—

1. Patrick, Master of Gray, killed at the siege of a town in France in 1635, unmarried.
2. Anne, Mistress of Gray, who married William Gray after mentioned.

Issue by third marriage:—

3. *Frances*, buried in Holyrood Abbey, 22 April 1670,[5]

[1] *Reg. Mag. Sig.* [2] Gray Inventory, ii. 469. [3] *State Papers, Domestic*, 1628, p. 28. [4] Gray Inventory, ii. 271. [5] Canongate Register.

married to Captain James Mackenzie of the Dragoons, son of Murdoch, Bishop of Moray and Orkney.

Sir William Gray of Pittendrum, was the son of Thomas Gray of Brighouse,[1] who according to Crawfurd,[2] is so designed on his admission as burgess of Aberdeen, 10 June 1620,[3] his father, according to the same authority, was the nephew of Andrew (? Alexander) Gray of Scheves in Aberdeenshire, whose father, Andrew Gray of Muirtown, son of Andrew, second Lord Gray, married the heiress of Scheves.[4] Sir William Gray was one of the most important merchants of Edinburgh, and by his trade with foreign countries amassed a large fortune, acquired much landed property, and was knighted before 1642. On a charge of corresponding with Montrose, he was fined by Parliament at St. Andrews in 100,000 merks, and was imprisoned in the Castle and Tolbooth of Edinburgh till the sum having been modified to 35,000 merks, he paid the money. A further sum of £10,000 was extorted from him by way of loan which was never repaid. He died in 1648 from the results of the hardships he had undergone. He married at Edinburgh, 20 June 1620, Egidia, daughter of Robert Smith, and sister of Sir John Smith of Grothill and Kings Cramond, Provost of Edinburgh, and had issue:—

1. *William*, Master of Gray.
2. *Robert*, baptized 10 November 1626, killed at Inverkeithing July 1651.
3. *John*, of Crichie, baptized 28 October 1627, married, 13 August 1646 (contract dated 23 March and 9 April 1650), Alison, only child of James Troup, merchant burgess of Edinburgh,[5] and had issue:—
   (1) John of Crichie, ninth Lord Gray.
   (2) *Andrew* of Balgounie, who died before 11 September 1707, when his brother John was served heir to him. He married Elizabeth Cruikshank.
   (3) *James*.
   (4) *Robert*, baptized at Edinburgh 3 July 1670.

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[1] Thomas Gray of Brighouse had a son Andrew in Peterhead, who died before 1645, and was father of William, apprentice to William Gray, merchant, Edinburgh, 9 May 1627 (Edinburgh Apprentice Register), and Janet, who married (contract dated 4 April 1645) George Campbell, son of Neil Campbell, maltman in Leith (Gray Inventory, ii. 491). [2] *Peerage*, 132. [3] Gray Inventory, i. 13. [4] See also Note p. 277. [5] Gray Inventory, 495.

4. *Alexander*, baptized 24 March 1631, died unmarried.
5. *Andrew*, baptized 23 August 1633, minister of the Outer High Kirk of Glasgow, 1653, died 8 February 1656. He married, 31 March 1654, Rachel, daughter of Robert Baillie of Jerviswood, and had issue *William*, *Rachel*, and *Robert*, a posthumous son, baptized 12 June 1656.
6. *David*, baptized 24 November 1640, killed at Tangier with the Earl of Teviot in May 1664.
7. *Agnes*, born 5 December 1622, buried in Greyfriars, 15 December 1669, married, first, to Sir John Dundas of Newliston,[1] and secondly, to Sir Archibald Primrose, Lord Clerk Register.
8. *Janet*, born 28 September 1623, married (contract dated 4 September 1646) to Archibald Campbell, son of Sir Archibald Campbell, knight.[2]
9. *Elspeth*, baptized 20 December 1625, married, 30 April 1643 (contract dated 7 April 1643), to James Bell, merchant burgess and Provost of Glasgow.[3]
10. *Margaret*, baptized 29 October 1628, married to Sir William Blair of Balgillo.[4]
11. *Mary*, baptized 2 April 1630, died before 27 February 1668; married, 10 June 1647, to John Clerk of Penicuik.
12. *Barbara*, baptized 29 May 1632, buried in Greyfriars 10 May 1662; married, 10 June 1647, to Robert Douglas, merchant in Edinburgh.
13. *Jean*, baptized 23 March 1635, died young.
14. *Geils*, baptized 27 May 1636, died unmarried.
15. *Isobel*, baptized 17 July 1638, married, first, 7 March 1661, to Walter Hamilton, merchant, and, secondly, 31 July 1672, to Mr. James Fraser of Brae, minister of Culross, and died October 1676.
16. *Ann*, baptized 21 August 1639, married to Mr. William Gray, minister of Duns, 1666, and had issue.
17. *Catherine*, baptized 19 May 1642, married to Alexander Inglis of Murdistoun.
18. *Helen*, baptized 7 September 1643, married, 9 October 1673, to Sir George Drummond, Lord Provost of Edinburgh.

[1] Gray Inventory, 562. [2] *Ibid.*, 493. [3] *Ibid.*, 489. [4] *Ibid.*, 565.

WILLIAM, Master of Gray, eldest son of Sir William Gray of Pittendrum, baptized 21 July 1621, was in terms of the charter of 8 January 1638 before mentioned styled Master of Gray during the lifetime of his father-in-law, Andrew, seventh Lord Gray. He jointly with his father had a charter under the Great Seal on 5 March 1640 of the barony of Gray,[1] and on his marriage he had 232,000 merks given by his father. On 4 April 1649 he was served heir-general to him.[2] At the battle of Worcester he commanded a regiment in the army of King Charles II. which he had raised principally on his own charges. He was killed near London, while fencing, by the Earl of Southesk, in the end of August 1660,[3] during the lifetime of his father-in-law, and therefore never succeeded to the title. He married, first (contract dated 30 November 1637), Anne, daughter and heiress of Andrew, seventh Lord Gray,[4] and had issue. He married, secondly, April 1654, Margaret, daughter of Sir Alexander Gibson of Durie, Lord President, and relict of Thomas Fotheringham of Powrie and Sir Thomas Blair of Balthayock, but had no issue.[5]

Issue by first marriage :—

1. PATRICK, eighth Lord Gray.
2. *William*, died unmarried.[6]
3. *Charles*, admitted advocate 21 December 1675, and died 25 April 1722. He married, 18 October 1683, Barbara Douglas,[7] who died 3 July 1733.[8]
4. *Jean*, mentioned 1694.[9]

VIII. PATRICK, eighth Lord Gray, succeeded his grandfather in 1663, and died in January 1711. He, after the death of his only son, with consent of his only surviving brother Charles Gray, made a resignation of the honours, dated December 1690, into the hands of Queen Anne on 20 February 1707, from whom he obtained a new patent of the same, with the former precedence, in favour of John Gray of Crichie, husband of his deceased daughter Marjorie Gray, for life, and after his decease to John Gray, their eldest son and the heirs of his body ; whom failing, to the other eldest

[1] *Reg. Mag. Sig.* [2] Inq. Gen., 3522. [3] Edin. Tests., 16 July 1661 and 12 February 1696. [4] Gray Inventory, ii. 488. [5] Lamont's *Diary*, 68. [6] *Laing Charters*, 2761. [7] Edin. Mar. Reg. [8] Edin. Tests. [9] *Reg. of Deeds* (Mack.), 7 February 1710.

sons and heirs-male of the said marriage, and the heirs of their bodies; whom failing, to the eldest heir-female without division procreated betwixt the said John Gray of Crichie and Marjorie Gray and the heirs of the body of such female, the eldest daughter succeeding without division; whom failing to the nearest heir-male of Patrick, Lord Gray, dated at St. James's 27 February 1707.[1] The patent was thereafter read in Parliament, and ordered to be recorded 11 March 1707.[2] He married (contract dated 22 January 1664) Barbara, sister of David, fourth Viscount Stormont, and second daughter of Andrew, Lord Balvaird, by his wife Elizabeth, fifth daughter of David, first Earl of Southesk, and had issue:—

1. Patrick, Master of Gray, mentioned in disposition by William Murray, fiar of Ochtertyre, to his father and mother in liferent, and himself in fee, sasine on which is recorded 29 August 1671.[3] He died before 30 July 1674;[4] on 17 March 1677 his sister was served heir to him.[5]
2. *Marjorie*, who as before mentioned was married to her father's cousin John Gray of Crichie next mentioned.

IX. John Gray of Crichie, who, in virtue of the resignation before narrated, became ninth Lord Gray even during the lifetime of his father-in-law Patrick, eighth Lord, and took his seat in Parliament. On 21 September 1686 he obtained an order from King James vii. on the Commissioners of the Treasury for the sum of £1500 in consideration of his services to King Charles ii. and the sufferings by fine of his grandfather in 1645 and 1646 for assisting the Marquess of Montrose. He married Marjorie, daughter of Patrick, eighth Lord, his cousin-german, as above mentioned, and died 10 January 1723. She was dead in 1707. They had issue:—

1. John, tenth Lord.
2. *William*, baptized 27 August 1684.
3. *James*, baptized 29 September 1685.
4. *Alexander*, apprenticed in 1709 to James Brebner, merchant in Aberdeen;[6] afterwards captain in the

[1] Gray Inventory. [2] *Acta Parl. Scot.*, xi. 441. [3] Gray Inventory, ii. 457. [4] *Ibid.* [5] *Ibid.*, No. 204. [6] Indenture, 4 and 7 November 1709, Gray Inventory.

service of the States of Holland; died at Edinburgh on 4 April 1761.

5. *David*, baptized 21 January 1690.
6. *Barbara*, baptized 21 May 1687.
7. *Catherine*, baptized 20 September 1688, married, 24 March 1712, to James Paterson of Kirktoun, Linlithgowshire, advocate, and died at Kirktoun 13 May 1766.[1] He died 28 November 1729.[2] They had a daughter and heiress, *Catherine*, who was married, 12 August 1772, to Lieutenant John Sharp, R.N.[3]
8. *Elizabeth*, married to Peter Gordon of Abergeldie.
9. *Marjorie*, baptized 14 May 1697.

X. JOHN, tenth Lord, was baptized 15 January 1683, and succeeded his father in 1724, was served heir on 16 August 1726, and died at Gray 15 December 1738. He married, about 1715, Helen, third daughter of Alexander, fifth Lord Blantyre, and had issue:—

1. JOHN, eleventh Lord.
2. *Charles*, born 14 November 1720.
3. *Anne*, born 4 April 1717, married to William Gray of Ballegarno, and died at Edinburgh 17 February 1774.[4]

XI. JOHN, eleventh Lord Gray, was born 11 April 1716,[5] succeeded his father in 1738, was served heir 24 April 1741, and was appointed by King George II. Sheriff of Forfarshire on 25 August 1741. He much improved his estates. He died at Kinfauns on 28 August 1782, aged sixty-seven. He married on 17 October 1741 Margaret Blair, heiress of Kinfauns. She was born at Berwick-on-Tweed on 6 August 1720, and was the eldest daughter of Alexander Blair of Kinfauns and his spouse Jean Carnegie, daughter of James Carnegie of Finhaven.[6] She died at Edinburgh 23 January 1790, leaving issue:—

1. *Andrew*, baptized 8 August 1742, died at Donibristle 23 May 1767, unmarried.[7]
2. *John*, born 9 June 1744, died young.
3. CHARLES, thirteenth Lord.

[1] *Scots Mag.* [2] Edin. Tests. [3] *Scots Mag.* [4] *Ibid.* [5] Edin. Register. [6] See, however, the case of Mrs. Anne Blair or Lyon *v.* the Misses Margaret and Anna Carnegie or Blair in 1725, where the paternity was unsuccessfully disputed; Sess. Papers, Lyon Office. [7] *Scots Mag.*

4. WILLIAM JOHN, fourteenth Lord.
5. FRANCIS, fifteenth Lord.
6. *Jean*, baptized 5 July 1743, married at Gray, 28 June 1763, to Francis, ninth Earl of Moray, who died 28 August 1810. She died 19 February 1786, and had issue :—

   (1) *Francis*, tenth Earl of Moray, who had, with other issue, for which see that title :—
      i. GEORGE PHILIP, fourteenth Earl of Moray, who succeeded as aftermentioned as eighteenth Lord Gray.
      ii. *Jane*, married, first, 25 January 1832, to Sir John Archibald Drummond Stewart of Grandtully, sixth Baronet, who died *s. p.* 20 May 1838. She was married, secondly, at St. Mildred's church, Broad Street, London, on 25 August 1838, and again at St. James's, Westminster, 5 September 1840, to Jeremiah Lonsdale Pounden of Brownswood, co. Wexford, who died 3 March 1887. She died at Hastings 14 March 1880, aged seventy-eight, leaving issue an only child,
         EVELYN, who succeeded as Baroness Gray in 1895.

7. *Helen*, born 30 June 1745, married, 1 October 1765, to William Stirling of Keir, and died at Calder 29 July 1775, leaving issue.
8. *Anne*, baptized 13 March 1747, married at Kinfauns, 30 December 1776, to George Paterson of Castle Huntly, and died there 10 September 1802, leaving issue.
9. *Margaret*, baptized 22 May 1748, died at Edinburgh 12 July 1806, unmarried.
10. *Barbara*, baptized 6 September 1749, died at Bath 5 October 1794, unmarried.
11. *Elizabeth*, married, in 1771, to Sir Philip Ainslie of Pilton, and died 24 August 1787, leaving issue.
12. *Charlotte*.
13. *Mary*, died young.

XII. CHARLES, twelfth Lord Gray, born 1752, was a cornet in the 1st Dragoon Guards in 1773, lieutenant 12 November 1776, and captain in 1781, but retired at the peace in 1783. He succeeded his father 1782, was served heir 7 February 1783, and died at Edinburgh 18 December 1786, aged thirty-four, unmarried, and was succeeded by his brother.

XIII. WILLIAM JOHN, thirteenth Lord Gray, born 1754, was a cornet in the 2nd Dragoons (Scots Greys), lieutenant in 1776, captain 15th Dragoons in 1779, but retired 1788. He succeeded his brother in 1786 and was served heir 28 November 1787, and committed suicide, on account, it is said, of a love disappointment, at Kinfauns Castle on 12 December 1807, aged fifty-three. He was succeeded by his brother.

XIV. FRANCIS, fourteenth Lord Gray, born at Edinburgh 1 September 1765, was appointed captain in the 4th Fencibles, and in 1793 major 1st battalion Breadalbane Fencibles, Postmaster-General of Scotland August 1807, but retired 1810. He succeeded his brother in 1807, was served heir 15 January 1808, and was elected at General Election 13 November 1812 a Representative Peer, and continued to sit as such till 1841. He died 20 August 1842. He married, 17 February 1794, Mary Ann, daughter of Major James Johnstone, 61st Foot, who died 31 December 1858, and had issue:—

1. JOHN, fifteenth Lord.
2. MADELINA, who succeeded her brother.
3. *William*, born 10 April 1801, died in March 1802.
4. *Margaret*, born 10 December 1802, married at Kinfauns, 20 June 1820, to John Grant of Kilgraston, and died 24 April 1822, leaving an only child,

   (1) MARGARET, afterwards Baroness Gray.

5. *Jane Anne*, born 24 July 1806, married, 17 April 1834, to her cousin, Major-General Charles Philip Ainslie, lieutenant-colonel 14th Light Dragoons, which marriage was dissolved in 1843. She died 4 March 1873 *s. p.*

XV. JOHN, fifteenth Lord Gray, born at Aberdeen 12 May 1798, elected a Representative Peer 1847-67, and died at Paris 31 January 1867, aged sixty-eight, without issue. He married, 23 May 1833, Mary Anne, daughter of Colonel Charles Philip Ainslie, 14th Dragoons, second son of Sir Philip Ainslie of Pilton; she died at Pau 16 February 1882, aged seventy-two.

XVI. MADELINA, Baroness Gray, born 11 February 1799, succeeded her brother 1867, died unmarried at 15 Gloucester Place, Edinburgh, 20 February 1869, succeeded by her niece.

XVII. MARGARET GRANT, Baroness Gray, born 14 April 1821, married, 10 November 1840, the Hon. David Henry Murray, son of William, third Earl of Mansfield, who died 5 September 1862, aged fifty-one. She died at 42 Grosvenor Gardens, London, 26 May 1878 *s. p.*, and was succeeded by her cousin.

XVIII. GEORGE PHILIP, fourteenth Earl of Moray, who on the death of his cousin became eighteenth Lord Gray. He was born 14 August 1816, and died unmarried at 4 York Street, London, 16 March 1895, leaving a large sum to charitable and religious objects. He was succeeded in the barony of Gray by his niece,

XIX. EVELYN, Baroness Gray, who was born at Dresden 3 May 1841, and was found entitled to the honours by the Committee for Privileges on 7 July 1896. She was married at St. George's, Hanover Square, on 9 September 1863, to James Maclaren Smith of the Boltons, South Kensington, who assumed on 7 May 1897, by royal licence, the surname and arms of Gray in addition to and after that of Smith, by which licence the children of the marriage take the name and arms of Gray only. He died 26 February 1900, having had issue :—

1. *James Maclaren Stuart*, Master of Gray, M.A. Cantab., late captain 5th Battalion Rifle Brigade, born 4 June 1864.
2. *Lonsdale Richard Douglas*, captain 6th Dragoons (Carabiniers), born 3 March 1870, died unmarried on service at Johannesburg 10 June 1900.
3. *Ethel Eveline*, born 16 January 1866, married, 22 July 1888, to Henry Tufnell Campbell, son of John T. Campbell and Ann Katharine his wife, daughter of Henry, ninth Earl of Lindsay.
4. *Thora Zelma Grace*, born 22 October 1875.
5. *Kathleen Eileen Moray*, born 9 August 1878.

CREATION.—About 1445.

ARMS.—Gules, a lion rampant within a bordure engrailed argent.

CREST.—An anchor in pale or.

SUPPORTERS.—Two lions guardant gules.

MOTTO.—*Anchor fast anchor.*

[F. J. G.]

RAMSAY, VISCOUNT OF HADDINGTON

IT has been generally stated by Peerage writers[1] that John Ramsay who was created Viscount of Haddington in 1606 was the brother of Sir George, afterwards Lord Ramsay of Dalhousie. This, however, was not the case. The first ancestor of John Ramsay who appears in the records is a brother of

ROBERT RAMSAY of Cockpen, who, under the designation of Robert Ramsay of Edmerisden, had a charter of the lands of Cockpen on his own resignation, 18 March 1481,[2] from Sir Alexander Ramsay of Dalhousie, who is described as his cousin. On 25 February 1485-86 this Robert Ramsay sold the lands of Derchester, co. Berwick, to his brother,[3]

ALEXANDER RAMSAY. Nothing definite is known of him save that he had apparently two sons:—

1. ROBERT, who succeeded.
2. *Thomas*, who had a charter of half the lands of Easter Softlaw, co. Roxburgh, 17 June 1514.[4]

[1] Wood's Douglas, etc.; even G. E. C. in the *Complete Peerage* has followed the commonly accepted version. [2] Confirmed 24 March 1494-95, *Reg. Mag. Sig.* [3] *Ibid.* [4] *Ibid.*

ROBERT RAMSAY, the eldest son and heir of his father,[1] had sasine of Derchester in 1493.[2] He is styled of Wyliecleuch in the charter of 1514 to his brother above mentioned. It was presumably his son

ALEXANDER RAMSAY, who had sasine of Wyliecleuch in 1532.[3] He was succeeded by

THOMAS RAMSAY, who had sasine of Wyliecleuch in 1543.[4] He was alive in 1594.[5] He married Alison Home, whose testament was confirmed 22 January 1564-65.[6] By her he had issue:—

1. ROBERT, who succeeded.
2. *Elizabeth* or *Alison*, married (contract 21 April 1565) to Robert Cranstoun, eldest son of Peter Cranstoun in Legertwood.[7]
3. *Margaret*, married (contract 17 January 1578-79) to Alexander Hoppringle, son of Jonet Hoppringle in Coldstream.[8]

Thomas Ramsay either had another daughter, or one of those mentioned married again, as on 4 February 1582-83 Edward Trotter in Swinton Mylne Steill is referred to as his 'gudeson.'[9]

ROBERT RAMSAY of Wyliecleuch succeeded his father before February 1598-99.[10] He was alive in 1609, and was then styled Sir Robert.[11] His wife's name is not known, but he had issue:—

1. *Robert*, married, 25 May 1593, Isobel, daughter of Robert Dickson of Buchtrig.[12] He died *vitâ patris* 17 June 1598,[13] leaving issue three daughters:—
   (1) *Margaret.*
   (2) *Isobel*, married to Robert Dickson of Peill.[14]
   (3) *Jonet.*
2. JOHN, of whom afterwards.
3. *Sir George* of Newtonlees. He acquired Wyliecleuch from his brother's daughters above mentioned in

[1] *Acta Dom. Conc.*, 299. [2] *Exch. Rolls*, x. 768. [3] *Ibid.*, xvi. 558. [4] *Ibid.*, xviii. 379. [5] *Reg. Mag. Sig.*, 22 June 1595. [6] Edin. Tests. [7] *Reg. of Deeds*, viii. f. 41. [8] *Ibid.*, xvii. f. 8. [9] *Ibid.*, xx. (2) 365. [10] *Reg. Mag. Sig.*, 9 March 1598-99. [11] *Gen. Reg. Inhibitions*, xxxix. 36. [12] *Reg. Mag. Sig.*, 24 March 1595. [13] Edin. Tests. [14] *Reg. Mag. Sig.*, 28 February 1617.

1617;[1] married Margaret Ker, and died between 8 June 1634 and 22 June 1635, as in a charter of the latter date he is styled *quondam*.[2] He left issue :—

(1) *John*, who was born at Melrose, and died about 1667, having married a lady whose Christian name was Alice. He left issue :—

i. *George*, died *vitâ patris* about 1658. He married Mary, daughter of Henry Widdrington. She married, secondly, William Delaval of Dissington. George Ramsay had issue :—

(i) *George*, died in infancy.

(ii) *Mary*, married, before 4 August 1676, Ralph Williamson, a collector of Customs, and died in March 1680-81, without surviving issue.

(iii) *Elizabeth*, married, licence 8 March 1678-79, at the age of twenty-two, Edmund Aston of the parish of St. Paul, Covent Garden.

These ladies and their husbands were engaged in much litigation, both in England and Scotland, in an endeavour to recover the family estates of Wyliecleuch, Bewick in Northumberland, Kingston-upon-Thames, Methering-ham in Lincolnshire, and others, which had belonged to the Earl of Holdernesse, and to which Sir George Ramsay had succeeded.

ii. *John*, born about 1636, married about 1668. His wife's name is not known.

iii. *William*. Mary Delaval, his sister-in-law, paid him £30 when he went 'beyond the seas.'

iv. *Robert*, born about 1644, unmarried in 1678.

v. *Margaret*, married to Luke Collingwood.

vi. *Elizabeth*, born about 1639, married to —— Elderton about 1668, and died soon after.

vii. *Dorothy*, born about 1640, died in France before 1678.

viii. *Jane*, born about 1641, married, about 1672, to John Lovell.

ix. *Mary*, born about 1644. Her sister-in-law Mrs. Delaval paid £20 to 'put her out' as an apprentice in London. She is said to have died in France before 1678.[3]

(2) *Margaret*, married (contract 16 May 1831) to James Hoppringle of that Ilk.[4]

4. *Nicholas*, buried at Berwick-on-Tweed April 1634.[5]

5. *Alexander*, named 19 June 1628.[6]

6. *Thomas*.

[1] *Reg. Mag. Sig.*, 28 February 1617. [2] *Ibid.* [3] The information as to the descendants of Sir George Ramsay of Newtonlees is taken principally from a paper on the seventeenth and eighteenth century owners of Bewick, kindly communicated by Mr. J. Crawford Hodgson, Alnwick, and authorities there cited. [4] *Gen. Reg. Sas.*, xlviii. f. 291. [5] *Exch. Depositions*, 19 Charles II., No. 3. [6] *Books of Adjournals.*

7. *Patrick*, a gentleman of the Privy Chamber, often named in the *Calendar of State Papers* (*Domestic*). Testament confirmed 29 May 1623.[1] All these are mentioned A.D. 1609.[2]

Sir Robert had perhaps more sons than the above. There is a warrant for a grant to Sir John Ramsay, Gentleman of the Bedchamber, with remainder to George, Nicholas, Alexander, *Andrew*, *Patrick*, *William*, and Thomas Ramsay, and their heirs, 23 May 1605.[3]

JOHN RAMSAY, the second son, was born about 1580, and was a Page-of-honour to King James VI. He had the fortune to be in the King's train on the occasion of his memorable visit to Gowrie House in 1600, and it is said that it was his hand which dealt the blows that proved fatal both to the unfortunate Earl of Gowrie and his brother. For the services thus rendered his agitated but grateful sovereign granted him, on 15 November 1600, a charter of the lands of East Barns near Dunbar. In order that there might be no doubt as to the reason of the charter being granted, the whole circumstances of the affray at Gowrie House are fully narrated (from the King's point of view) in the charter,[4] and it was probably for the services then rendered that he received a knighthood. He was created VISCOUNT OF HADDINGTON and LORD RAMSAY OF BARNS 11 June 1606; and on 28 August 1609 he had a charter of the lands and barony of Melrose together with the Abbey of the same, all erected into a free lordship and barony; he was also granted the dignity of a free Baron and Lord of Parliament under the title of LORD MELROSE, with remainder to his heirs-male and assigns whomsoever. This Peerage he subsequently resigned in favour of Sir George Ramsay of Dalhousie, a relative, but not his brother, who accordingly, on 25 August 1618, received a grant of the barony with the title of Lord Ramsay of Melrose.

A King's favourite, Haddington was naturally the victim of intrigue and cabal, and it is said he had to retire for a season from Court, if not from England itself. He did not,

[1] Edin. Tests. [2] *Gen. Reg. Inhib.*, xxxix. 36. [3] *Cal. State Papers* (*Dom.*), Addenda, 1580-1625, 462. [4] *Reg. Mag. Sig.*

however, lie long in the cold shade of the royal displeasure, as on 22 January 1620 he was created a Peer of England as BARON OF KINGSTON-UPON-THAMES and EARL OF HOLDERNESSE, with the privilege of bearing the Sword of State before the King every 5th of August, a thanksgiving day appointed for the preservation of the King's life in the Gowrie Conspiracy. The Earl died without surviving issue, and was buried in Westminster Abbey 28 February 1625-26. He married, first, 20 February 1608-9, Elizabeth Ratcliffe, daughter of Robert, Earl of Sussex. Ben Jonson wrote a masque for the occasion, which was acted by five Englishmen and seven Scotsmen, all young men of noble birth or high position.[1] Lady Haddington died 6 December 1618, and her husband married, secondly, about July 1624, Martha, baptized 26 May 1605, daughter of Sir William Cockayne of Rushton, and sister of Charles, first Viscount Cullen. She married, secondly, in London, 18 April 1627, Montagu Bertie, Lord Willoughby d'Eresby, afterwards second Earl of Lindsay. She died July 1641, and was buried at Edenham, co. Lincoln.[2] By his second wife Lord Haddington had no issue, but by his first he had two sons and a daughter; none of them survived infancy.

1. *James*, buried in Westminster Abbey 28 February 1617-18.
2. *Charles*, the second but eldest surviving son, was baptized at the Chapel Royal, Whitehall, 17 May 1618, by the Bishop of Durham, the Prince of Wales and the Marquess of Buckingham being sponsors. He died before he was three years old, and was buried in Westminster Abbey 25 March 1621.

CREATIONS.—1 June 1606, Viscount of Haddington and Lord Ramsay of Barns; 28 August 1609, Lord Melrose, in the Peerage of Scotland. 22 January 1620, Earl of Holdernesse and Baron Kingston-upon-Thames, in the Peerage of the United Kingdom.

ARMS (from Sir Robert Forman's [Lyon Office] MS.).—Parted per pale first . . . an arm issuing out of the dexter side of the shield holding a sword paleways piercing a heart

[1] Lodge, iii. 343. [2] *Complete Peerage.*

and supporting an imperial crown proper; second, argent, a double eagle displayed sable, a crescent on its breast.

CREST.—A crowned thistle proper (not given by Forman, but taken from a glass quarry representing the arms, now in the possession of Prince Frederick Duleep Singh).

SUPPORTERS.—Dexter, an antelope; sinister, a unicorn, both proper.

MOTTO.—*Haec dextra vindex principis et patriae.*

[J. B. P.]

Haddington

HAMILTON, EARLS OF HADDINGTON

HAT the real origin of the great house of Hamilton may have been need not be discussed in this article, as the branch from which the Earls of Haddington sprang was not the senior one of the family. It is sufficient to say that Walter Fitz Gilbert, the first known ancestor, was a witness in 1294 to a charter by James, High Steward of Scotland, to the monks of Paisley.[1] (For him and his history, *see title* Hamilton.) He had two sons:—

1. *David*, who carried on the main line of the family.
2. JOHN, progenitor of the Hamiltons of Innerwick.

JOHN is styled 'John, son of Walter,' or 'John, son of Sir Walter,' and in one case his father is alluded to as 'called of Hamilton.' He witnesses various charters between 1365 and 1381.[2] He married Elizabeth, daughter of Sir Alan Stewart of Darnley and Crookston, who was killed at Halidon in 1333. The son of the latter, John Stewart of Crookston, granted a charter, which was confirmed 15 January 1369, to John, son of Walter, 'dicti de Hamilton,' and his wife Elizabeth, of the lands of Ballen-

[1] *Reg. de Paselet.* [2] *Reg. Mag. Sig.*, folio vol. 40, No. 108; *Reg. Honor. de Morton*, ii. 83, 106, 115-117.

crieff and others, in the barony of Bathgate and county of Lothian.[1] They had at least one son:—

ALEXANDER. He had a charter from his father of the lands of Ballencreiff, of which a confirmation by John Stewart of Darnley exists.[2] He married (dispensation dated 15 September 1381[3]) Elizabeth, second daughter and co-heiress of Thomas Stewart, second Earl of Angus, who died about 1361. The elder daughter Margaret married Thomas, Earl of Mar, and was left a widow about 1374. Shortly afterwards Elizabeth surrendered to her elder sister all her rights as co-heir of her father, an arrangement which was ratified by King Robert II. by a charter dated 18 February 1378-79.[4] In 1389 the same King confirmed a charter by Margaret, Countess of Angus and Mar, granting to her sister Elizabeth and her husband Alexander Hamilton the lands of Innerwick and others, which Elizabeth had on 28 March 1379 resigned in the hands of the Steward of Scotland.[5] Sir Alexander is said to have survived till the reign of James I. He left at least one son:—

ARCHIBALD HAMILTON of Innerwick. In 1454 he received from the Crown sasine of the lands and others mentioned in the charter above referred to.[6] On 10 May 1458 he had from John Stewart, Lord of Darnley, a charter of the lands of Ballencreiff and others.[7] He was knighted between 1458 and 1465,[8] and died between 1482 and July 1488.[9] He is said to have married Margaret, daughter of John Montgomerie of Thornton, but there is no direct evidence of this. He left issue:—

1. ALEXANDER.
2. *Alison*,[10] married, about 1498, to John Montgomery of Thornton.[11]

[1] Andrew Stuart's *Genealogical History of the Stewarts*, 75-77. [2] *Ibid.*, 47 *n.* [3] *Regesta Avinionensia* (Clement VII.), 226, 280. [4] Copy in H.M. Reg. Ho. [5] Original Charter in H.M. Reg. Ho.; Fraser's *Douglas Book*, iii. 27. [6] *Exch. Rolls*, ix. 662-663. [7] Anderson's *House of Hamilton*, 308. [8] Fraser's *Earls of Haddington*, i. 8. [9] His name appears as a witness to a charter of 5 May 1491, confirmed the following day (*Reg. Mag. Sig.*), when Hugh is mentioned as his son and heir-apparent, but in view of the evidence relating to the next Laird of Innerwick this seems to be a mistake. [10] *Reg. Mag. Sig.*, 15 May 1494. [11] *Ibid.*, charter undated, vol. ii., No. 2467.

ALEXANDER. He received a charter from John, Lord Darnley, 18 November 1465, of the lands of Ballencreiff,[1] to himself and his wife Isobel Schaw, said to have been a daughter of John Schaw of Sauchie. He died about 1505, having had issue:—

1. *Hugh*, who carried on the main line of the family of Hamilton of Innerwick.
2. *John*, styled 'Jok of Hammylton, the Lord of Innerwykis son.'[2]
3. *Alexander*, named in a charter of 1503.[3]
4. THOMAS, of whom hereafter.
5. *Alison*.[4]

THOMAS, the fourth son, was a burgess of Edinburgh, and appears to have entered the legal profession.[5] Before 1522 he acquired the lands of Orchardfield near Edinburgh, and on 29 June 1523 he had sasine of the lands of Priestfield, which he purchased from Henry Cant of Over Liberton.[6] He died on or before 1537, having married Margaret, sister of Adam Cant of Priestfield, the father of that Henry Cant from whom he acquired the property. They had two sons:—

1. THOMAS.
2. *George*, enrolled as a burgess of Edinburgh 29 April 1541.[7]

THOMAS, the eldest son, is said to have been a merchant in the West Bow of Edinburgh.[8] On 2 and 20 August 1538 he and his cousin James Hamilton of Innerwick made an exchange of lands, Thomas giving the lands of Ballencreiff in excambion for those of Balbyne and Drumcarne, in the county of Perth.[9] On 29 April 1541 he was admitted along with his brother George a burgess of Edinburgh. He was killed at the battle of Pinkie 10 September 1547. He is said to have married, first, Janet, daughter of John Crawford of Bothkennar, but there is no sufficient evidence for this; and he married Elizabeth, daughter of Robert Leslie

[1] *House of Hamilton*, 308. [2] *Treasurer's Accounts*, i. 125. [3] *House of Hamilton*, 309. [4] *Acta Dom. Conc.*, 146. [5] Robertson's *Records of Parliament*, 541, 20 January 1513-14. [6] Prestonfield Charter-chest. [7] Edinburgh Burgess Roll. [8] *Staggering State*, 68. [9] Confirmed 6 and 20 August 1538; *Reg. Mag. Sig.*

of Innerpeffer; she survived her husband, and was a consenting party, along with her second husband, William Hutson, to a contract in 1557 between her and the curators of her son.[1] They had issue:—

1. THOMAS.
2. *John*. He graduated at St. Andrews 1559, was appointed one of the regents of St. Mary's College 1569, and in 1574 was an elder of the kirk-session of the parish of St. Andrews. He was still there in 1575, but the following year he is found in France acting as tutor to Cardinal de Bourbon; it was probably at this period that he entered the Roman Church, of which he shortly became a zealous partisan. In 1584 he was chosen rector of the University of Paris, and in the following year was presented to the cure of the parishes of St. Cosmus and St. Damian. Owing to his violent opposition to Henry of Navarre he was compelled to leave France. He then settled in Brussels, but in 1600 came to Scotland along with the Jesuit father Edmund Hay on a mission from the Pope in support of the Catholic succession. Interdicted by the Privy Council, he was 'resetted' by friends in various parts of Scotland for some years and escaped apprehension, notwithstanding the fact that the price of £1000 Scots was set on his head. In 1609, however, he was seized,[2] conveyed to London, and imprisoned in the Tower, where he died in 1610—'a little man, red faced, and above fifty years of age.'[3]
3. *Marion*, who appears to have married James Makcartney, a lawyer in Edinburgh, with issue.[4]

There seems to have been another son (?*Oliver*, burgess of Hamilton).[5]

THOMAS HAMILTON, the eldest son, was a minor when his father was killed at Pinkie, but, as was usual when the head of a family fell in battle, was at once retoured heir to his father. It is probable, indeed, that he did not reach majority till 1561, in which year he was made a burgess of

[1] Fraser's *Earls of Haddington*, 1-15; cf. Protocol Book of Alexander Gaw, Gen. Reg. Ho., ff. 8, 46. [2] Dempster's *Historia Ecclesiastica*, 357. [3] *P. C. Reg.*, vi. 858. [4] Fraser's *Earls of Haddington*, ii. 116. [5] Cf. *Acta Parl. Scot.*, iii. 383.

Edinburgh in right of his father.[1] In 1568 he was in Paris, probably studying law;[2] by 1571 he was in Scotland, and had ranged himself on the Queen's side in the political divisions of the day.[3] Although he does not appear to have taken a very prominent part in public affairs, he was outlawed in 1572 along with the Earl of Arran and others of his name, but this disability did not last long, as he was included in the pacification of the following year.[4] He was also included in the Act of Restoration following on the return of the Hamiltons and the 'banished lords' in 1585. It was not till 1603 that he had any actual appointment in the public service; in that year he was appointed one of the commissioners for managing the Queen's property in Scotland,[5] and on 29 May 1607 he was raised to the Bench of the Court of Session, under the title of Lord Priestfield. On 12 January 1608 he was admitted a member of the Privy Council, and held that position till the reconstruction of the body in 1610. His judgeship did not last long, as he resigned in 1608; promotion and active service had in fact come too late in age, and he was dead before 1612.

He married, first, in 1558, Elizabeth, daughter of James Heriot of Trabroun, who apparently did not survive long; and, secondly, Elizabeth, daughter of Sir Andrew Murray of Blackbarony, and widow of James Borthwick of Newbyres. By his first wife he had:—

1. THOMAS, first Earl of Haddington.

And by his second:—

2. *Andrew*, appointed a Lord of Session under the title of Lord Redhouse 30 June 1608; he was admitted a member of the Privy Council 20 August 1609,[6] but was not a member of the reconstituted Council in 1610. He was again, however, admitted 1 August 1616.[7] He married Jean, daughter and heiress of John Laing of Spittals and Redhouse, in the county of Haddington, Keeper of the Signet. He died in 1634, leaving issue.
3. *Sir John* of Magdalens, co. Linlithgow. He was appointed Lord Clerk Register in succession to Sir

[1] Burgess Roll, 8 November 1561. [2] Fraser's *Earls of Haddington*, ii. 116. [3] *Ibid.*, 201. [4] *P. C. Reg.*, ii. 155, 196. [5] *Ibid.*, vi. 557. [6] *Ibid.*, viii. 594. [7] *Ibid.*, x. 594.

George Hay 3 July 1622,[1] and was admitted an ordinary Lord of Session 27 July in that year;[2] he was superseded in 1626, when it was decided that no judges should be members of the Council, but was made an Extraordinary Lord 2 November 1630. He was a member of the Privy Council from 1622 till its reconstruction in 1626, when he was again included amongst its members. He died at Holyrood 28 November 1632, and was buried in the Abbey there. He married, about 1604, Agnes, daughter of William Hamilton, merchant burgess of Edinburgh,[3] and by her had at least one daughter:—

Agnes, married to George Winram, younger of Liberton.[4]

4. *Sir Patrick* of Little Preston. Probably that Patrick Hamilton who appears as a Writer to the Signet in 1627.[5] In 1613 he had a charter from Ninian Macmorran, merchant in Edinburgh, to himself and his wife Elizabeth, of certain property in the barony of Broughton.[6] On 30 August 1617 he was appointed teacher of the St. Mary Magdalene School at Linlithgow.[7] He and two London merchants got, on 4 November 1619, a patent for twenty years, on payment of £600 per annum, for the refining of sugar.[8] Under the designation of Mr. Patrick Hamilton of Preston he had a charter to himself and his wife from his father-in-law Ninian Macmorran of the Euarlands in Cramond Regis.[9] On 22 September 1624 he had, along with his brother Alexander, a patent for twenty-one years for the invention of a new kind of carriage.[10] He was knighted by Charles I. 22 June 1633.[11] His lands of Little Preston and others were erected into a barony 18 December 1643.[12] He died before February 1662.[13] He married (contract 18 March 1613),[14] Elizabeth, daughter of Ninian Macmorran, merchant burgess of Edinburgh, and had issue one son and three daughters.

[1] *P. C. Reg.*, xiii. 14 *n.* [2] Brunton and Haig's *Senators*, 269. [3] Oxenford Charter-chest. [4] *Reg. Mag. Sig.*, 24 July 1629. [5] *Hist. of W.S. Society.* [6] *Reg. Mag. Sig.*, 25 July 1615. [7] *Ibid.* [8] *Ibid.* [9] *Ibid.*, 27 July 1620. [10] *Ibid.* [11] Balfour's *Annals*, iv. 365. [12] *Reg. Mag. Sig.* [13] Testament confirmed 2 March 1663. [14] Oxenford Charter-chest.

5. *Alexander*. After spending some time of his youth in Paris and London, he entered the Army. He saw much service abroad under Gustavus Adolphus, but was back in Britain about 1635. Three years after he was in Scotland, became an enthusiastic Covenanter, and gave that body much assistance from his great knowledge of artillery. Some light field pieces which he is said to have made in the Potterow, Edinburgh, were composed of tin and leather bound round with ropes, and from their appearance they were called 'dear Sandie's stoups.' However primitive his artillery may have been, it is said to have largely contributed to the defeat of the English force who opposed the passage of the Tyne at Newburn in 1640. He seems to have served in Ireland for a short time, and, returning to Scotland in 1643, was appointed General of Artillery. He was a party to the 'Engagement' in 1648, and for this was next year deposed from all his military offices. He did not survive long after this, dying 26 November 1649. 'A man of a rare spirit and a werey valiant souldiour.'[1] He married, first, the eldest daughter of Thomas Dalziel of Binns; secondly, a lady of the name of Cochrane; and thirdly, Elizabeth, daughter of Sir David Crichton of Lugton.[2] He left issue.
6. *Christian*, married, as his second wife (contract 12 and 13 April 1592), to Sir Alexander Hamilton of Innerwick.[3]
7. *Elizabeth*, married to Sir William Scott of Ardross, Clerk of Chancery, with issue.
8. *Margaret*, married (contract 1 June 1598[4]) to William Kirkcaldy of Grange, with issue.

I. Thomas Hamilton, afterwards first Earl of Haddington, was born in 1563, and was educated at the High School of Edinburgh, and University of Paris. Returning from France, he was admitted an Advocate 1 November 1587, and five years later he was made an Ordinary Lord of Session under the

[1] Balfour's *Annals*, iii. 434. [2] *Ibid.*, Elizabeth Crichton's testament confirmed 28 March 1650, Edin. Tests. [3] *Reg. Mag. Sig.*, 6 June 1593. [4] Oxenford Charter-chest.

title of Lord Drumcairn.[1] He was made a Privy Councillor before 14 June 1593,[2] and appointed one of the 'Octavians' 9 January 1595-96. This body having almost unlimited power, it was not unnatural that they should monopolise for themselves the principal offices of state. They had not been more than a few weeks in existence when Hamilton was made Lord Advocate, his appointment being dated 31 January 1595-96. Although the Octavians as a body did not exist for more than a year, their resignation of office did not affect Hamilton's tenure of his post as Lord Advocate. He remained such for a considerable time, proving himself a very efficient officer. He served on many Parliamentary Commissions, including that one appointed in 1604 to confer with English commissioners as to a union of the countries, but the time was not as yet ripe for that. After King James's removal to London the power and authority of the Lord Advocate was considerably increased, as he was really, in the absence of the King, the responsible executive. He was knighted about July 1603. Before long he was furnished with an armed guard of forty horsemen, not so much apparently for his personal protection as for the apprehension of the contraveners of the law whether civil or criminal. After holding the Lord Advocateship for sixteen years Hamilton was (patent 21 April 1612) appointed Lord Clerk Register, a post, however, which he did not hold for more than two months, when he exchanged offices with Sir Alexander Hay, Secretary of State. On 19 November 1613 he was made a Lord of Parliament under the title of LORD BINNING, with remainder to his heirs-male bearing the name and arms of Hamilton.[3] Three years afterwards, on 15 June 1616, he was appointed Lord President of the Court of Session, but along with this he continued to hold his office of Secretary. He attended the King on his visit to Edinburgh in 1617, and entertained His Majesty in that house from which he obtained the *sobriquet* of 'Tam o' the Cowgate.' Next year he was in London for a time, and on 20 March 1619 he was raised a step in the Peerage by being created EARL OF MELROSE, LORD BYRES AND BINNING, with remainder to his heirs-

[1] 2 November 1592, Brunton and Haig. [2] *P. C. Reg.*, v. 83. [3] *Reg. Mag. Sig.*

male bearing the surname of Hamilton. In May 1625 he was again in London, attending the funeral of King James, and taking the opportunity of kissing the hands of his successor as one of the officers of State, and getting a formal ratification and regrant of his secretaryship. His star, however, was not in the ascendant under the new *régime*. In 1627 King Charles I. announced to his Council that no judge or Lord of Session (except the Chancellor) should in time to come be a Privy Councillor, and he very directly intimated to the officers of state that they must resign their position as judges. The Earl, therefore, resigned his office of Lord President: his influence as Secretary was also much curtailed by the appointment of Sir William Alexander (afterwards Earl of Stirling) as Resident Secretary at the English Court. The Earl, however, was too astute a statesman to allow himself to be long left in the cold shade of disfavour. He interested himself much in the subject of tithes, and made himself a very useful member of a commission which was appointed in 1627 to receive surrenders of superiorities of church lands and tithes, and to treat as to the valuation and sale of teinds, stipends of ministers, etc. Such good service did he do to the King in this and other respects that on 17 August 1627 he received a patent from the King narrating that in recognition of his continued and faithful services, as well as to excite others to emulate the same, he had, with the consent of the Earl, promoted him and his heirs-male to the honour, style, and title of EARL OF HADDINGTON, with the precedence of his creation as Earl of Melrose.[1] This is a curious instance of a title having been altered in this way, and the reason has never been satisfactorily explained, though it is usually said that the Earl obtained the patent because he accounted it more worthy to take his designation from a county than from an abbey. Certainly the patent says that His Majesty 'has determined to honour him with a more worthy title than that of Earl of Melrose,' but it is difficult to see how the one title was better than the other. The title of Haddington, with the rank of Viscount, had previously been held by John Ramsay, son of Robert Ramsay of Wyliecleuch. He was created Viscount

[1] Fraser's *Earls of Haddington*, ii. 296.

of Haddington 11 June 1606, and on 28 August 1609 Lord Ramsay of Melrose, with remainder to his heirs-male and assigns.[1] He was ultimately on 22 January 1620-21 created Baron of Kingston-on-Thames and Earl of Holdernesse. He died *s. p.*, and was buried, 28 February 1625-26, in Westminster Abbey. In virtue of the patent of 1609 he assigned the barony of Melrose and his dignity of Lord Ramsay of Melrose to his kinsman Sir George Ramsay of Dalhousie, who had a charter of these honours 25 August 1618. A few weeks later, however, Sir George resigned the barony in favour of Lord Binning, and on 5 January 1619 got a charter altering his title from Lord Ramsay of Melrose to Lord Ramsay of Dalhousie.[2] The title of Melrose was then granted as has been shown above to Lord Binning.

On 18 October 1627 Lord Haddington was appointed Lord Privy Seal with precedence immediately next to the Lord Treasurer.[3] He then resigned his office of Secretary which he had held for so long a time, but he still continued to take a large share in the public business of his time. He was present at the coronation of King Charles I. at Holyrood on 18 June 1633, but did not survive this function many years, dying on 29 May 1637, aged seventy-four.

An able and patriotic statesman, Haddington was none the less an industrious as well as a brilliant lawyer. The consequence was that he amassed a large fortune, most of which he invested in the purchase of land. At a date not long before his death the rental accruing from his estates is estimated to have been upwards of £68,000 Scots, an income of which few, if any, Scottish peers in the seventeenth century could boast. It is impossible to give in detail all Lord Haddington's purchases of land: they will be found in the Register of the Great Seal, but a few of his more important acquisitions may be given. On 14 December 1596 he had, on his father's resignation, a charter of the kirklands of Dalmeny; on 14 April 1597 a charter was granted to his father in liferent and himself in fee of the lands of Priestfield; on 30 May 1597 a similar charter, but including his wife Margaret Foulis, was granted of the lands of Balbyn and Drumcairn; on 27 March 1601 he

[1] Selden's *Titles of Honour*, 699; *Reg. Mag. Sig.*, 28 August 1609. [2] See title Dalhousie. [3] *Earls of Haddington*, ii. 297.

had a grant in feu of the lands of Humbie, co. Linlithgow; had also charters of Wester Binning and the church lands of Easter, Wester, and Middle Binning,[1] lands which were created into a barony 25 August 1603. On 3 August 1603 he had a charter of the lands and barony of Monkland,[2] but sold them shortly afterwards. On 29 January 1607 he had a grant of the right of working minerals within the barony of Ballincreiff and other lands in the county of Linlithgow, and was made Master of the Metals on 25 March following;[3] he had a charter on 2 June 1607 of the lands of Drumcross, co. Linlithgow.[4] On 6 June 1609 he had a charter of the barony of Byres, which he had purchased from John, eighth Lord Lindsay, for £33,333, 6s. 8d. Scots.[5] On 15 January 1610 he had a grant in feu-farm of the lands of Castlemilk and others in Annandale possessed by John, Lord Maxwell.[6] In 1614 he got a large accession of property, having purchased the temple lands of Drem and others in various counties in Scotland, which were united into one barony of Drem.[7] In 1618 he purchased from Sir John Ramsay the whole of the lordship of Melrose, from which he originally took his title as Earl.[8] In 1628 Lord Haddington, as he had by that time become, purchased the lands and barony of Tynninghame from the Earl of Annandale for 200,000 merks, and had a charter of the same under the Great Seal 7 February 1628. This became the principal country residence of the family, and has continued to be so up to the present time. Subsequent acquisitions of Lord Haddington were Luffness, co. Haddington, in 1633,[9] and Coldstream and Cowdenknows, co. Berwick, in 1634.[10]

Thomas, first Earl of Haddington, married, first, about 1588, Margaret, only child of James Borthwick of Newbyres.[11] By her he had two daughters; she died December 1596, and he married again, before August 1597, Margaret, daughter of James Foulis of Colinton, with issue three sons and four daughters. She died 31 May 1609. He married, thirdly, September 1613, Dame Julian Ker, widow of Sir Patrick Home of Polwarth, and daughter of Sir Thomas

[1] *Earls of Haddington*, 11 November 1601 and 5 February 1602. [2] *Ibid.* [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Earls of Haddington*, ii. 297. [6] *Ibid.* [7] *Ibid.*, 30 July and 13 October 1614. [8] *Ibid.*, 30 September 1618. [9] *Ibid.*, 31 July 1633. [10] *Ibid.*, 8 March and 7 November 1634. [11] His stepmother's daughter by her first husband.

Ker of Ferniehirst. It would rather appear from some interesting letters of his which have been preserved,[1] that she occasionally somewhat tried her husband by her extravagance. Indeed, before she died she was actually put to the horn, but her effects, assumed to be forfeited to the Crown, were bestowed upon her husband, and by him assigned after her death to her stepson, the successor to the Peerage. Lady Haddington died in March 1637, and was buried on the 30th of that month at Holyrood.[2]

Lord Haddington had issue by his three wives as follows :—

1. THOMAS, second Lord Haddington, by the second marriage.
2. *Sir James* Hamilton of Priestfield, by the second marriage. He was knighted previous to September 1623. He served with the Duke of Buckingham's expedition to Rochelle, and also under Gustavus Adolphus, but returned from Sweden before the middle of 1631. In 1647 he mortgaged or sold his lands of Priestfield to his uncle Sir Alexander, and left Scotland.[3] He was alive in July 1663,[4] but died between that date and January 1666, when his son Sir James was served heir to him in the office of Keeper of the Park of Holyrood House.[5] He married (contract September 1623, though the marriage did not take place for some months later) Anna, eldest daughter of Sir Patrick Hepburn of Waughton, by whom he had issue four sons and two daughters.
3. *Sir John* Hamilton of Trabroun, by the second marriage, born 3 November 1605. On 17 October 1611 he had a charter from James Heriot of Trabroun of the lands of Trabroun;[6] and on 4 August 1621 the Parliament, in consideration of his father's services, dissolved the lands of the Priory of Coldstream from the Crown, and erected them into a temporal barony in favour of John Hamilton, a royal charter following thereon 24 September 1621,[7] in which he is styled Sir John. He married, in August 1621, Catherine, only child of Alexander Peebles of Middleton and Skirling.[8] Sir

[1] Fraser, *Earls of Haddington*, ii. 122-126. [2] Balfour's *Annals*, ii. 251. [3] *Acta Parl. Scot.*, vi. pt. i. 820. [4] *Ibid.*, vii. 461. [5] *Retours*, Edinburgh. [6] Confirmed 2 February 1619 and 17 July 1621, *Reg. Mag. Sig.* [7] *Ibid.* [8] *Ibid.*, 3 August 1621.

John predeceased his father, having had by his wife two children, who apparently died young.

4. *Robert*, by the third marriage. Born 14 May 1615. He had from his father the lands of Wester Binning. He died unmarried, having been killed at Dunglass Castle along with his elder brother and others 30 August 1640.
5. *Christian*, eldest daughter by the first marriage. Married, first (contract 26 January 1610), to Robert, Lord Lindsay of the Byres,[1] who died 9 July 1616; secondly (contract 9 December 1617), to Robert, Lord Boyd,[2] with issue by both husbands.
6. *Isabel*, by the first marriage. Born 18 February 1595-6; married (contract 22 November 1610) to James Ogilvie, first Earl of Airlie, with issue.
7. *Margaret*, eldest daughter of the second marriage. Born 5 April 1598; married, first, 28 September 1613, to David, Lord Carnegie, eldest son of David, first Earl of Southesk; he died 25 October 1633 *v. p.*[3] She was married, secondly, 31 January 1647, to James Johnstone, first Earl of Hartfell.
8. *Helen*, second daughter of the second marriage. Born 16 May 1599; died young.
9. *Jean*, third daughter by the second marriage. Born 5 February 1607, married (contract 21 December 1621 and 7 January 1622) to John, sixth Earl of Cassillis, whom she predeceased, dying about 15 December 1642.
10. *Anne*, youngest daughter by the second marriage. Born 24 April 1608; died unmarried.

Lord Haddington had also at least one natural son,

Mr. Patrick, who received letters of legitimation under the Great Seal 22 January 1631.[4]

Lamont mentions a *Mr. James* Hamilton, natural son of the Earl of Haddington, but it is not certain whether he was a son of the first or second Earl.[5]

II. THOMAS, second Earl of Haddington, was born 25 May 1600. He spent some time abroad in his youth, but was home by 1621, in which year he attended the sitting of

[1] *Reg. Mag. Sig.*, 13 April 1610. [2] *Ibid.*, 11 December 1617. [3] Fraser's *History of the Carnegies*, i. 110-114. [4] *Reg. Mag. Sig.* [5] *Diary*, 11 August 1654.

Parliament; in 1625 he was with his father at the funeral of James VI. in London, and at the coronation of Charles I. at Edinburgh in 1633, on which occasion he was one of the bearers of the canopy over the King's head during the ceremony. He was admitted a member of the Privy Council 4 June 1635. In succeeding to the title at the death of his father he had a difficult part to play, and was cautious not to commit himself too far either with the Covenanting party or their opponents. He did, however, as the King directed in 1638, sign the National Covenant of 1580, and when hostilities broke out in 1640 Haddington was appointed Major-general in the Lothians. He succeeded in preventing the capture of some cannon which had been left behind by Leslie at Duns, before he advanced into England. The guns Haddington removed with him to his headquarters at Dunglass Castle. On 30 August, after dinner, while reading to some friends, a tremendous explosion occurred in the powder vaults, and the greater part of the castle was blown to pieces. Among the victims of the catastrophe—the origin of which still remains a mystery[1]—were the Earl of Haddington, his brothers Robert and Patrick, his cousin Sir John Hamilton of Redhouse, his relations Sir Alexander Hamilton of Innerwick and his son Alexander, and his brother-in-law Colonel Alexander Erskine.

Lord Haddington married, first (contract 27 February 1622), Catherine, fourth daughter of John, Earl of Mar, the Lord Treasurer, with a tocher of 20,000 merks. The union of two such powerful families was not looked upon with much favour by King James VI., who is said to have exclaimed on hearing of it, 'The Lord haud a grip o' me! If Tam o' the Cowgate's son marry Jock o' Sclate's dochter, what 's to come o' me!' Lady Haddington died at Edinburgh 5 February 1635, and was buried at Tynninghame 4 March following. The Earl married, secondly, 14 January 1640,[2] Jean, third daughter of George, second Marquess of Huntly, who survived her husband fifteen years, dying in the summer of 1655.[3]

[1] The story of an English page having fired the magazine in revenge for some slight offered him is not very credible, especially since he blew himself up at the same time. [2] *Records of Aboyne*, 542. [3] Lamont's *Diary*, 89; testament confirmed 4 October 1655, Edin. Tests.

By his first wife he had issue :—

1. THOMAS, third Earl of Haddington.
2. JOHN, fourth Earl of Haddington.
3. *Alexander*, died young, 13 December 1629.
4. A child, born November 1630, probably died young.[1]
5. *Robert*, born 6 April 1633, died young.
6. *James*, born 24 September 1634, died young.
7. *Margaret*, born 17 July 1632, died young.
8. *Margaret* (*secunda*), posthumous daughter of the second marriage, born 15 January 1641, married, 24 April 1662 (contract 11 February), to Sir John Keith, Knight Marischal of Scotland, afterwards Lord Kintore.

III. THOMAS, third Earl of Haddington, was a minor when his father died. He seems to have received part of his education at least in France, but this did not prevent him joining himself to the party of the Reformed Church at home. He had not opportunity, however, to take much part in the events of his time, as he died of consumption on Saturday 8 February 1645. He had married, in France, in August 1643 (contract 13 May), Henrietta, elder daughter of Gaspard de Coligny, Lord of Chatillon, and Marshal of France (grandson of the great admiral) by his wife Anne de Polignac. After her first husband's death she returned to France, and married, secondly, Gaspard de Champagne, Comte de la Suze. This union did not turn out a happy one, and the parties were divorced on 9 August 1661. She had disputes and lawsuits with the Haddington family over her marriage settlements. She became a sort of literary character, gave herself up to writing poetry, and posed as a heroine of romance. She died at Paris 10 March 1673, and was buried in the Church of St. Paul there, leaving her affairs in a very involved condition. A collection of her works was published in 1725 at Trévoux, with an engraved portrait. She left no issue.

IV. JOHN, fourth Earl of Haddington, was born early in 1626. He appears to have been lame, and therefore did not take any active part in the military service of his day. He

[1] Letter from Jane Hamilton, Dowager Lady Ross, in Eglinton Charter-chest.

was a diligent attender, however, in Parliament, and took an interest in the public business. He was present and took part in the coronation of Charles II. at Scone on 1 January 1651, and was afterwards fined by Cromwell in the sum of £555, 11s. 8d. After the restoration he was appointed a member of the Privy Council, and was a sworn supporter of Episcopacy when it was re-established in Scotland in 1661. The Earl, however, does not make a very outstanding figure in any of the events of his time. He does not appear to have had very good health; apart from his lameness mentioned above, there are records of an illness in 1661, and in 1663 and 1664 he was for some time at the spa in Harrogate. He died at Tynninghame while yet in middle age, 31 August 1669. Lord Haddington married (contract 1 January 1648) Christian, second daughter of John, Earl of Crawford and Lindsay, Lord Treasurer of Scotland, her sister Anna being contracted on the same day to John, Earl of Rothes. By his wife, who died 26 October 1704,[1] Lord Haddington had four sons and eight daughters:—

1. CHARLES, fifth Earl of Haddington.
2. *Thomas*, baptized 7 July 1661.
3. *John*, baptized 31 October 1663.
4. *William*, baptized 17 February 1669. These last three sons probably died young.
5. *Margaret*, married, 31 December 1668, to John Hope of Hopetoun, who was drowned 5 May 1682. She died December 1711, and was buried at Tynninghame. They had issue:—
   (1) *Charles*, created Earl of Hopetoun. (*See that title.*)
   (2) *Helen*, married her cousin Thomas, sixth Earl of Haddington.
6. *Catherine*, born 8 December 1652, died young.
7. *Anna*, baptized 20 December 1653, died young.
8. *Helen*, baptized 28 June 1656, married (contract 5 July 1677) to William Anstruther, eldest son of Sir Philip Anstruther of that Ilk, with issue.
9. *Susanna*, baptized 28 July 1657, married (contract 13 March 1679) to Adam Cockburn of Ormiston, afterwards Lord Justice-Clerk, with issue.

[1] *Turnbull's Diary*, Scot. Hist. Soc. *Misc.*, i. 444.

10. *Christian*, baptized 21 July 1659.
11. *Elizabeth*, baptized 24 December 1667. Both she and Christian must have died comparatively early, as they are mentioned as deceased in the marriage-contracts of their immediate elder sisters.
12. *Mary*, mentioned in a letter from her mother in 1686; probably died unmarried.

V. CHARLES, fifth Earl of Haddington, was born about 1650. From the accounts which have come down concerning him he seems to have been fonder of home life than of a political career, and though he was steady in his opposition to Lauderdale, under the leadership of his chief the Duke of Hamilton, he did not take any prominent part in the politics of the day. He refused to sign 'the Bond' in 1677, obliging the signatories that not only they but their families and tenantry would not absent themselves from public worship, nor have baptisms or marriages celebrated by any other than legally authorised ministers. He also refused to sign 'The Test' of 1681, an offence which rendered him incapable of filling any office of state, a disqualification at which he was probably not much concerned. The Earls of Haddington at this time were not a long-lived race. Charles, fifth Earl, can only have been about thirty-five years old at the time of his death, which took place in May 1685. Lord Fountainhall calls him 'a worthy gentleman of much hopes,' and adds that his demise was 'to the grieff of all honest men.'[1]

Lord Haddington married, 8 October 1674, Margaret, elder daughter of John Leslie, sixth Earl, afterwards Duke of Rothes, who had married his mother's sister. There were important family arrangements consequent on this marriage. Provision was made in the contract for the lady being the probable inheritor of her father's earldom of Rothes, in which case the eldest son of the marriage was to succeed to the Rothes title, and the second son to the earldom of Haddington, so that neither title should be extinguished. By his wife, who survived till 20 August 1700, he had issue:—

1. JOHN, who ultimately succeeded under the arrange-

[1] *Historical Observes*, 169.

ment referred to as Earl of Rothes. (*See that title.*)

2. Thomas, who became, under the same arrangement, sixth Earl of Haddington.
3. *Anna*, baptized 25 August 1676.

VI. Thomas, sixth Earl of Haddington, was baptized at Tynninghame 5 September 1680. He was only five years old when his father died, so that he had a long minority under tutors. It was found necessary, also, to sell part of the estates in order to put his financial affairs on a sound footing, and the lands of Byres were disposed of to the tutors of Charles Hope of Hopetoun. In consequence of the family arrangements regarding the titles of Rothes and Haddington, he had a charter under the Great Seal on 25 February 1687, following on a resignation made by his father in 1678 of the Haddington estates;[1] and on 18 December 1689 he had a new patent of the title and dignity of Earl of Haddington, in the preamble of which he is designated simply Mr. Thomas Hamilton; this was ratified by another patent after he came of age, granted to him 22 October 1702,[2] in which is mentioned the resignation of the Haddington title in his favour by his elder brother.

The sixth Lord Haddington is principally to be remembered as a great tree planter. Chiefly, it is said, by the advice and example of his wife he was led to devote his mind to the improvement and beautifying of his Tynninghame estate; he planted about 800 acres there with trees, and the Binning Wood stands to this day, though it has met with several reverses from periodical storms, a monument of his foresight and taste.

At the time of the Union Haddington formed one of the 'squadrone volante,' but afterwards joined the party of Argyll, and voted steadfastly for the Union; for this he does not appear to have received any reward or acknowledgment from Queen Anne's government. The only honour which came to him on account of his public services at that time was the somewhat curious one of being elected,

[1] *Reg. Mag. Sig., lib.* lxx. 334. [2] *Ibid., lib.* lxxii. 1; *Haddington Book*, ii. 314, 315.

along with several other noblemen, an Honorary Fellow of the Royal College of Physicians, Edinburgh. In the rising of 1715 he joined Argyll as a gentleman volunteer, and was present at the battle of Sheriffmuir, where he was wounded. In 1716 he was created a Knight of the Order of the Thistle, appointed Sheriff of the county of Haddington, made a Lord of Police, and elected one of the Representative Peers of Scotland.

Lord Haddington has some claim to be remembered as an author. Two volumes of verse stated to be by him were published after his death, but his most important work was his treatise on forest trees, first published in 1756, a second edition being issued in 1761.

There is some doubt as to the date and place of the Earl's death. His testament (confirmed 22 April 1736[1]) states that he died at Tynninghame in October 1735; but the more commonly received account is that he died at New Hailes in November of that year.

The Earl married, in 1696, when only sixteen years of age, his cousin, Helen Hope, she being about two years his senior. It was to her discretion and taste that much of the ornamental planting at Tynninghame was due. She survived her husband upwards of thirty years, and died at Edinburgh 19 April 1768.[2] They had issue:—

1. CHARLES, Lord Binning.
2. *John*, educated at Glasgow University, where he matriculated in October 1716. Admitted a member of the Faculty of Advocates 23 January 1725; afterwards appointed Cashier to the Board of Police. He died at Edinburgh 11 February 1772, having married, 8 December 1728, Margaret, daughter of Sir John Home of Blackadder, Baronet. She died 27 December 1779. They had issue two sons and six daughters.
3. *Margaret*, died unmarried at Edinburgh 22 February 1768.
4. *Christian*, married (contract 17 December 1725) to Sir David Dalrymple of Hailes, Baronet. He died 24 February 1751; she survived till 30 June 1770. They had a family of sixteen children, one of whom was the distinguished judge Sir David Dalrymple, Lord Hailes.

[1] Edin. Tests. [2] Testament confirmed 18 April 1768, *Ibid.*

CHARLES, Lord Binning, the eldest son, was a youth of great promise, but inherited that phthisical diathesis which had proved fatal to so many of the family. He was born in 1697, and as a mere boy he shared his father's labours in laying out the woods at Tynninghame, and he was also with him at Sheriffmuir. Perhaps in acknowledgment of his services on that occasion, he was, on 22 February 1718, appointed Knight Marischal of Scotland, an office which had been forfeited by the second Earl of Kintore. Lord Binning had considerable talent and taste for literature; he was the author of several poems, some of which have been published. In 1731 the state of his health made it imperative that he should go abroad, and for the last sixteen months of his life he lived at Naples, where he died, much regretted, 27 December 1732. Lord Binning married, in or before 1720, Rachel, younger daughter and ultimate heiress of George Baillie of Jerviswoode, who survived him for forty years, dying at Mellerstain 24 March 1773. They had issue:—

1. THOMAS, seventh Earl of Haddington.
2. *George*, of Jerviswoode, was educated at Oxford along with his elder brother. He succeeded on the death of his aunt Grisell, Lady Murray of Stanhope, in June 1759, to the estates of his maternal grandfather, George Baillie of Jerviswoode and Mellerstain, and assumed the name of Baillie. He married, in or before 1759, Elizabeth, daughter of John Andrews, and died 16 April 1797, aged seventy-four. By his wife, who died 24 April 1799, aged sixty-two, he had issue:—

   (1) *George Baillie* of Jerviswoode, born 8 October 1763. Sat in Parliament for the county of Berwick from 1796 to 1818; married, 13 July 1801, Mary, youngest daughter of Sir James Pringle of Stichell, Baronet. He died 11 December 1841; she died 23 October 1865, aged eighty-five. They had issue:—

      i. GEORGE, tenth Earl of Haddington.

      ii. *Charles*, born 3 November 1804, admitted a member of the Faculty of Advocates 5 March 1830; Sheriff of the county of Stirling 1853; Solicitor-General and Lord Advocate 1858; M.P. for the county of Linlithgow 1858; raised to the bench under the title of Lord Jerviswoode in 1859; retired in July 1874, and died 23 July 1879. He married, 27 December 1831, Anne, third daughter of Hugh, Lord Polwarth,

who died 15 August 1880. They had issue one son and three daughters.

iii. *James Pringle*, born 30 January 1806. Served in the 56th and 81st Regiments. Died unmarried 14 May 1842.

iv. *Robert*, born 25 July 1807; was a major in the 72nd Highlanders. Died 28 August 1888 unmarried.

v. *John*, born 3 January 1810, entered the Church of England and became a Canon of York. Married, in April 1837, Cecilia Mary, eldest daughter of the Rev. Charles Hawkins, Canon of York. He died 7 August 1888, leaving issue, two sons and six daughters.

vi. *Thomas*, born 30 May 1811, entered the Navy, fought at the battle of Navarino, and was Admiral commanding the British fleet in the White Sea during the Crimean War. He died 31 July 1888 unmarried.

vii. *Elizabeth* or *Eliza*, married, 23 November 1821, to John, Marquess of Breadalbane, and died 28 August 1861 *s. p.*

viii. *Mary*, married, 5 November 1840, to George, Earl of Aberdeen, with issue.

ix. *Georgina*, married, 11 November 1835, Henry, Lord Polwarth, with issue. She died 2 April 1859; he died 16 August 1867.

x. *Catherine Charlotte*, married, 8 January 1840, Bertram, Earl of Ashburnham, with issue. He died 22 June 1878; she died 6 February 1894.

xi. *Grisell*, born 1822. Appointed the first Deaconess in the Church of Scotland December 1888. Died 20 December 1891.

(2) *Charles Baillie Hamilton* of Rumbletonlaw, born 27 November 1764; took holy orders, and became Archdeacon of Cleveland January 1806. Died 19 June 1820, having married, 16 April 1797, Charlotte, youngest daughter of Alexander, ninth Earl of Home, who died 4 December 1866. They left issue seven sons and three daughters.

(3) *Thomas*, died in infancy.

(4) *Grisell*, died unmarried 18 October 1800.

(5) *Rachel Catherine*, died unmarried 9 January 1797.

(6) *Elizabeth*, died unmarried, 3 December 1815.

VII. Thomas, seventh Earl of Haddington. Born in 1721, educated at Oxford, he succeeded his grandfather while yet a minor in 1735, and as he lived to be seventy-three, he enjoyed the honours longer than any of the other persons of the title either before or after him. He travelled for some time on the Continent, residing first at Rome, then at Geneva, where he and his brother George were members of that Common Room established by some of the British residents there, and which had some celebrity in its day.[1]

[1] *Literary Life of Benjamin Stillingfleet*, i. 73, 169.

He returned to Scotland about 1744, but did not take any prominent part either in the public business or politics of his time. He died 19 May 1794.

Lord Haddington married, first, 28 October 1750, Mary, daughter of Rowland Holt of Redgrave, co. Suffolk, widow of Gresham Lloyd, by whom she had a daughter, *Mary*, who afterwards married John, Earl of Rothes. The Countess of Haddington died 7 September 1785. He married, secondly, much against the wishes of his family, Anne, daughter of Sir Charles Gascoigne, who survived him, and married, in 1796, James Dalrymple, dying 21 June 1840. By his first marriage he had issue:—

1. Charles, eighth Earl of Haddington.
2. *Thomas*, born 23 September 1758, died 1 August 1774.

By his second marriage he had one daughter:—

3. *Charlotte*, born 14 March 1790; died 3 May 1793.

VIII. Charles, eighth Earl of Haddington, was born 5 July 1753. He was elected one of the Representative Peers for Scotland in 1807, and sat as such in Parliament till 1812; after the dissolution in that year he did not again offer himself for election. He succeeded the Marquess of Tweeddale as Lord-Lieutenant of Haddingtonshire in 1804, and held that office till 1823. As hereditary Keeper of Holyrood Park he earned a large share of unpopularity. In 1814 he was approached by the Æsculapian Club of Edinburgh, a body composed of eminent scientific men and some of the leading citizens, with the modest proposal that a subscription might be started with the view of placing an iron seat near the summit of Arthur Seat, of planting throughout the park a variety of Alpine shrubs and plants, and of extending the walks generally. It would appear that among the perquisites of the office the right of letting the grazing on the hill was included. To the suggestion thus made Lord Haddington turned a deaf ear on the ground that the tenant of the park would pay a less rent if he were subject to the incursions of persons wandering over the hill. Not only did he treat the park as his private property in this respect, but he actually began to quarry Salisbury Crags to sell the stone to pave the streets of London. Public opinion was, however, aroused, and ultimately his spoliations were

stopped, but not before considerable and irreparable damage had been done. Indeed, it was not till 1843, in the lifetime of his successor, that the matter was finally settled, by the Keepership of the Park being resigned by the latter on the sum of £40,000 being paid him by the Government.

Personally Lord Haddington was a man of cultivated tastes, and an agreeable and amusing companion. Sir Walter Scott, in mentioning a visit he paid at Tynninghame in 1824, says: 'Lord Haddington complains of want of memory, while his conversation is as witty as a comedy, and his anecdote as correct as a parish register.[1] He died 17 March 1828, having married, 30 April 1779, Sophia, third daughter of John, second Earl of Hopetoun. She died 8 March 1813. They had issue one son,

IX. THOMAS, ninth Earl of Haddington. He was born at Edinburgh 21 June 1780, and was educated at the university there and at Oxford, where he graduated in 1801. The following year he entered Parliament as member for St. Germains, Cornwall, for which constituency he sat till 1806. He was member for Cockermouth from January to May 1807, for Collington 1807 to 1812, for Michael-borough 1814 to 1818, for Rochester 1818 to 1826, and for Yarmouth in the Isle of Wight 1826 to 1827. He was an industrious and useful member of the House, and his services, as well as the steady support he gave to learning, were rewarded by his being created, in the lifetime of his father, on 24 July 1827, a Peer of the United Kingdom under the title of LORD MELROS OF TYNNINGHAME, with remainder to the heirs-male of his body. At the time of the Reform Bill of 1832 Lord Haddington appears to have supported the measure, though not without some hesitation. In November 1834, when Sir Robert Peel became Premier, he got the office of Lord-Lieutenant of Ireland, but as Peel's ministry came to an end in April 1835, he did not long perform the vice-regal duties. But when the same minister came into power in 1841 Haddington was offered the Governor-Generalship of India, but refused it on the score of health. He was, instead, made First Lord of the Admiralty, and kissed hands with the rest of the new Cabinet 4 September 1841. The caustic

[1] Lockhart's *Life of Scott*, v. 354.

Greville observes that 'it is a curious circumstance that a man so unimportant, so destitute not only of scheming, but of plausible qualities, without interest or influence, should by a mere combination of accidental circumstances have had at his disposal three of the greatest and most important offices under the Crown, having actually occupied two of them, and rejected the greatest and most brilliant of all.'[1] But there can be no doubt that Lord Haddington, if not a brilliant man, had considerable force of character and very fair abilities. If he had not, he would never, without interest or influence, have got the offer of such posts. On 21 January 1846 Haddington quitted the Admiralty for the office of Lord Privy Seal, but the ministry going out in July, he did not long hold that appointment. With his resignation his political career was over, and though he not infrequently spoke in the House of Lords, he did not in future hold any official position. He lived for twelve years longer, dying 1 December 1858. With him his title of Baron Melros of Tynninghame became extinct.

He married, 13 October 1802, Maria, only surviving daughter and heiress of George Parker, fourth Earl of Macclesfield, but by her he had no issue. He was succeeded by his second cousin, George Baillie of Jerviswoode and Mellerstain, grandson of his younger brother George. (*See ante* p. 322.)

X. GEORGE, tenth Earl of Haddington, was born 10 April 1802. After his succession to the title, he obtained, 24 March 1859, a royal licence to add the surname of Hamilton to that of Baillie, and to quarter the arms of Hamilton with those of Baillie. He was elected as a Representative Peer of Scotland in 1859, and again in 1865 and 1868, and continued to be so till his death. It was his case that caused a resolution in the House of Lords of 13 May 1822, providing that no person other than his own grandson, or other lineal descendant or brother of any deceased peer should be allowed to vote at an election of Representative Peers, to be rescinded. On 10 September 1867 he was appointed a Lord-in-waiting to the Queen, and in 1867 and

[1] *Diary*, 26 September 1841.

1868 he was Her Majesty's Commissioner to the General Assembly of the Church of Scotland. He died at Tynninghame 25 June 1870.

Lord Haddington married, 16 September 1824, Georgina, daughter of the Hon. Robert Markham, Archdeacon of York, who died 26 February 1873. They had issue :—

1. GEORGE, eleventh Earl of Haddington.
2. *Robert*, born 8 October 1828; entered the Army, and served in the Crimean War of 1854-55, and in the Chinese War in 1860; sat in Parliament for the county of Berwick from 1874 to 1880. Died 5 September 1891, having married, 18 July 1861, Mary Gavin, daughter of Sir John Pringle, Baronet, but by her he had no issue.
3. *Clifton*, born 5 March 1831, died 3 April 1857.
4. *Henry*, born 20 August 1832; entered the Navy, and served in the Kaffir War 1851, and in the Black Sea during the Crimean War 1855. Died 20 November 1895, having married, 17 October 1872, Harriet Frances, daughter of Henry Francis Scott, Lord Polwarth. They had issue :—

   (1) *Georgina*, born 22, died 23 April 1873.
   (2) *Helen Georgina*, born 5 June 1874.
   (3) *Amabel Georgina*, 1 July 1876.
   (4) *Katherine Ada Georgina*, born 1879.
   (5) *Gena Mary*, born 12 November 1882.
   (6) *Margaret Ellinor Georgina*, born 14 June 1885.

5. *Percy*, born 1835, died in infancy.
6. *Arthur Charles*, born 16 February 1838, was Rector of Coombs, Vicar of Badley, and a Diocesan Inspector of Schools. Married, 1836, Alice Ann, daughter of Sir David Baird of Newbyth, Baronet, with issue a daughter :—

   (1) *Margaret*, born 1868.

7. *Mary*, married, 7 June 1855, to the Hon. and Rev. Henry Douglas, third son of George Sholto, Earl of Morton, with issue.
8. *Frances*, born 30 September 1829.
9. *Georgina Sophia*, married, 17 October 1861, to Sir Harry Foley Vernon of Hanbury Hall, co. Worcester, Baronet, with issue.

XI. GEORGE, eleventh Earl of Haddington, was born 26 July 1827. He was elected one of the Representative Peers of Scotland on 18 February 1874, and has continued to be chosen at every succeeding election. In 1864 he was made Vice-Lieutenant of the county of Berwick, and in 1870 Lord-Lieutenant of Haddingtonshire. He is a lieutenant in the Royal Company of Archers, honorary-colonel of the Lothians and Berwickshire Yeomanry Cavalry, and an Aide-de-camp to the King for the service of the yeomanry cavalry force in Scotland. He was created a Knight of the Order of the Thistle in 1902. He married, 17 October 1854, Helen Catherine, youngest daughter of Sir John Warrender of Lochend, Baronet, by his wife Frances Henrietta Arden, daughter of the Lord Chief-Justice Baron Alvanley. Her brothers the second and third Barons Alvanley having died without issue, she became heiress to the Alvanley estates. On 31 December 1858 Lord Haddington, then Lord Binning, obtained a royal licence to assume the surname of Arden in addition to that of Baillie, and as his father, as above stated, got a similar licence a few months later, to assume the name of Hamilton, the Earl's surnames became Baillie-Hamilton-Arden. That of Arden, however, is not assumed by his children, except by the youngest son, who will succeed to the Alvanley estates. The Countess of Haddington died 29 May 1889. The issue of the marriage are:—

1. GEORGE, Lord Binning, born 24 December 1856. Educated at Eton and Trinity College, Cambridge, where he graduated in 1879. He entered the Royal Horse Guards 1881, and served in the Egyptian campaign of 1882, and in the Soudan expedition in 1884. In 1888 he was appointed Aide-de-camp to Lord Dufferin, then Viceroy of India, and saw service in the Black Mountain expedition. He was also Aide-de-camp to Lord Connemara, Governor of Madras. He was made Lord-Lieutenant for Berwickshire 1900. He married, 21 September 1892, Katherine Augusta Millicent, only child of W. Severin Salting, Esquire, and has issue:—
   (1) *George*, born 18 September 1894.
   (2) *Charles William*, born 22 May 1900.
   (3) *Helen*, born 10 October 1893.

2. *Richard*, born 28 August 1858; served in the 77th Regiment and the Rifle Brigade. Died unmarried 19 August 1881.
3. *Henry Robert*, born 4 October 1862. Captain (retired) Coldstream Guards.
4. *Ruth*, born 4 September 1855.
5. *Isabel*, born 17 November 1859, died in infancy.
6. *Grisell*, born 23 April 1861.
7. *Cicely*, born 13 July 1868.

CREATIONS. — 19 November 1613, Lord Binning; 20 March 1619, Earl of Melrose, Lord Byres and Binning; 17 August 1627, Earl of Haddington (and presumably Lord Byres and Binning), in the Peerage of Scotland; 24 July 1827, Baron Melros of Tynninghame, in the Peerage of the United Kingdom, this latter title being now extinct.

ARMS (recorded in the Lyon Register).—Quarterly: 1st and 4th grand quarters, 1st and 4th, gules, on a chevron between three cinquefoils argent, a buckle azure between two ermine spots, all within a bordure or charged with eight thistles vert, for *Hamilton of Byres*; 2nd and 3rd, argent, a fess wavy between three roses gules, barbed and seeded proper, for the title of *Melros*; 2nd and 3rd grand quarters, sable, the sun in his glory between nine stars, three, two, three, and one, argent, for *Baillie*.

CRESTS.—Dexter, two dexter hands issuing out of clouds, conjoined fessways and holding betwixt them a branch of laurel erect, all proper; sinister, a crescent or.

SUPPORTERS.—Two talbots argent, plain collared gules.

MOTTOES.—*Praesto et persto.*
Major virtus quam splendor.

[J. B. P.]

[HALKERSTON, FALCONER OF, *see* KINTORE.]

HALIBURTON OF DIRLETON

HALIBURTON is a place-name in the county of Berwick, one of the earliest notices of which is found in a grant, of date about 1176, by David, son of Truite, by which he gave to the mother church of Greenlaw and to the Abbey of Kelso the chapel of his vill of Haliburton.[1]

WALTER, son of David, son of Truite, confirmed his father's donation,[2] and witnessed a charter of Eustachius de Vescy, Lord of Sprouston, about 1207.[3] He had perhaps three sons:—

1. WILLIAM.
2. *Adam*, whose name occurs as a witness in two charters of Matilda, Countess of Angus, *circâ* 1242.[4]
3. *Sir Henry*. He also witnesses a charter of the Countess of Angus,[5] also another by Richard of Lincoln in 1250 to the Abbey of Kelso of the pasture-lands of Molle.[6] His line probably came to an end in a female, as there is an undated charter by which Adam de Roule and Johanna Wyschard his spouse, daughter and heiress of the late Sir Henry Haliburton, granted certain lands in Molle to the Abbey of Kelso.[7] He

[1] *Reg. of Calchou*, i. 222. [2] *Ibid.*, i. 223. [3] *Ibid.*, i. 173. [4] *Liber S. Thome de Aberbrothoc*, 34-82. [5] *Ibid.*, 332. [6] *Reg. de Calchou*, i. 118. [7] *Ibid.*, i. 136.

is probably a different person from the Sir Henry aftermentioned, but the name occurs continuously in the records from 1242 to 1306, and it may not impossibly belong to the same individual.

WILLIAM, was undoubtedly the son of Walter, as will be seen from a charter to be quoted below. His name, however, only appears as a witness to a charter by Robert de Muscampo to Sir William of Grenelaw in the time of Alexander II. He married Christian, daughter, and ultimately heiress, of Richard de Fawnys of that Ilk. He left a son,

PHILIP DE HALIBURTON, who is styled son and heir of William Haliburton and Christian his wife in a charter confirming a grant of lands of Mellerstain to the Abbey of Kelso, which his uncle Adam de Fawnys had previously granted.[1] He also confirmed the donation of the chapel of Haliburton to the same abbey made by his great-grandfather David, son of Truite, and his grandfather Walter; and he resigned all rights over the said chapel, 5. Kal. October (27 September) 1261.[2] His wife's Christian name was Alice; she, as his widow, did homage for her lands in Berwickshire to Edward I. in 1296.

SIR HENRY DE HALIBURTON was probably the son of Philip. Either he or the previous Sir Henry witnessed the last-mentioned charter by William de Haliburton to Kelso. In 1270 he granted certain lands in Molle to the same abbey.[3] On 28 August 1296 he did homage to Edward I. at Berwick-on-Tweed.[4] An inquisition of date 17 February 1300-1 found that Henry de Haliburton and his wife Agnes de Mordington, widow of Philip de Colville, had forfeited certain lands to the King as being then rebels who 'had burned churches and killed men in England' when the King's Scottish enemies laid waste the country.[5] He was alive in 1308,[6] but was dead before 25 November 1323, when Agnes de Mordington, relict of Sir Henry de Haliburton, daughter and heiress of the late

[1] *Reg. de Calchou*, i. 105. [2] *Ibid.*, 224. [3] *Ibid.*, 143. [4] *Cal. of Docs.*, ii. 201; his seal appended to the deed bears 'a bend.' [5] *Ibid.*, ii. No. 1131. [6] *Ibid.*, iii. No. 44.

Peter de Mordington, granted a charter to John de Raynton, of lands in Over Lamberton.[1] He may have had other brothers, as in 1306 the 'six brothers de Halyburton of Scotland' show King Edward I. that 'whereas Sir John de Balliol gave each of them for his support £20 of land for service, by reason of the war in Scotland they have been put out of their lands, and have nothing but their service; therefore pray that he would have pity on their condition,' etc.[2]

Sir Adam Haliburton is said to have been a son of the last mentioned. He appears to have been a supporter of the English King if he is the Adam de Haliburton who is stated to have been taken prisoner by Robert de Brus in Scotland.[3] He was one of the sureties in a contract of marriage between John, son and heir of Sir Malcolm de Innerpeffer and Margaret, daughter of William Sinclair, 1321.[4] He died 3 September 1337, having married a lady whose Christian name was Isabella, and who survived him.[5] He is said to have had three sons:—

1. Walter.
2. *John*, married a daughter and co-heiress of William de Vaux, Lord of Dirleton, and their descendants in consequence quartered the Vaux arms with their own.[6] He was killed at the battle of Nisbet August 1355. His wife's name is not known, but he had a son,

   John, of whom presently.

3. *Adam*, witness along with Walter and John to a charter of George, Earl of March, 12 June 1372.

Sir Walter, taken prisoner at the battle of Durham 1346,[7] was imprisoned in the Tower, Windsor, and Odyham Castle.[8] On 15 May 1350 he swore not to bear arms against Edward III. till the Candlemas following, and then to surrender himself prisoner again. He continued a prisoner, though more than once liberated temporarily on parole, till he was released along with King David II. in 1357. He became one of the King's Council,[9] was High Sheriff

[1] Original charter at Duns Castle. [2] *Cal. of Docs.*, ii. No. 1778. [3] *Ibid.*, iii. No. 257. [4] Macfarlane MS. [5] *Cal. of Docs.*, iii. 391. [6] Chalmers's *Caledonia*, ed. 1888, iii. 437. [7] *Cal. of Docs.*, iii. No. 1481. [8] *Ibid.*, 1481, 1491, 1696, 1517. [9] *Acta Parl. Scot.*, i. 495-522.

of Berwick 1364, and one of the Scottish Ambassadors for a treaty of peace with England 1367;[1] did homage to Robert II., and sealed the Act of Settlement 1371,[2] and his name is also mentioned as a consenting party to the Act of Settlement in 1373.[3] He witnessed, as Sir Walter de Haliburton *dominus ejusdem*, with Sir John and Sir Alexander de Haliburton, probably his brothers, a charter by George, Earl of March, to John Sinclair of Herdmanstoun, 12 June 1372.[4] He was also witness to a charter by Margaret Stewart, Countess of Mar, 2 January 1378-79.[5]

JOHN, nephew of the above, is found as a witness to a charter by Robert Ayre of Fastforland to Margaret Stewart, Countess of Mar and Angus.[6] Fraser puts this *circâ* 1375, but Sir Walter his uncle appears to have been alive then.[7] In 1378 Sir John witnessed a charter, confirmed in 1382, at which latter date he is styled 'dominus de Dirleton.'[8] His name also appears as witness to other charters in 1385,[9] 1389,[10] and 1397.[11] In 1402 he headed a successful expedition into England.[12] He married Margaret, daughter and co-heiress of Sir John Cameron of Ballegarno, and on account of that marriage introduced the further arms of Cameron to his own coat.[13] They had issue:—

1. WALTER.
2. *George Haliburton* of Gogar, who had a charter from his brother Walter of the lands and mill of Gogar 8 June 1409, witnessed by Walter, Alexander, and John de Haliburton.
3. *Jean*, married to Henry St. Clair, first Earl of Orkney of the St. Clair line.

WALTER HALIBURTON of Dirleton. His name appears in several charters in the reign of Robert III. and the

[1] *Cal. of Docs.*, iv. 154. [2] *Acta Parl. Scot.*, i. 546, seal of Sir Walter, on a bend three mascles. [3] Original deed in H.M. Reg. Ho. [4] Marchmont MSS., *Fourteenth Rep. Hist. MSS. Com.*, App. iii. [5] *Ibid.*, Milne-Home MSS., 257. [6] *Douglas Book*, iii. 24. [7] *Vide supra.* [8] Nisbet's *Heraldry*, i. 102. [9] *Douglas Book*, iii. 32. [10] *Ibid.*, 35. [11] *Ibid.*, 36. [12] *Ibid.*, i. 367; Chalmers's *Caledonia*, iii. 259. [13] He bore, according to Nisbet, who saw the seal, 1st and 4th, or, on a bend azure three mascles of the first as his paternal arms; 2nd, or, three bars gules, for *Cameron*; 3rd, argent, a bend gules for *Vaux*.

regency of Robert, Duke of Albany. He married, probably as his second wife, between 1402 and 1406,[1] Isobel, one of the daughters of Robert, Duke of Albany,[2] and widow of Alexander Leslie, Earl of Ross, who died 1402. Many persons of the name of Haliburton appear in the records at this period, and some of them may have been the issue of this Sir Walter. He had at least one son,

Sir Walter, who was one of the hostages for the ransom of King James I., and as such was in England from the beginning of 1424 till at all events Michaelmas 1425.[3] He was knighted in absence at the coronation of James I. at Scone 21 May 1423.[4] On 24 January 1429-30 he had, along with other Scottish Commissioners, a safe-conduct to meet the English at Hawdenstank for the redress of complaints.[5] He appears as Lord High Treasurer on 5 July 1438.[6] He is generally stated to have been created a Peer of Parliament, but this is very doubtful, and it is more probable that it was his son who was the first Peer. He died before 10 May 1447,[7] when his son John, Lord Haliburton, refers to him as deceased. He married, in 1403, Mary, daughter of Archibald, third Earl of Douglas, and widow of David, Duke of Rothesay, eldest son of Robert III.[8] She died about 1420. He had issue :—

1. John.
2. *Walter*, who had a charter under the Great Seal 16 February 1433 of the lands of Gask, Pitcur, and others upon the resignation of Katherine Chisholme, daughter and heiress of Alexander Chisholme,[9] who had, in the previous year, granted a charter of these lands to his daughter on the occasion of her marriage to her *cousin* Walter Haliburton, second son of Walter, first Lord Haliburton.[10]
3. *Robert*.

[1] *Reg. Mag. Sig.*, folio vol. 232, 24, 25, where he is called 'son' of the governor. [2] *Vide* vol. i. 149. A dispensation was granted to Walter and Isabel on 21 December 1415, long after their marriage (*Vatican Reg.*, An. 22 Benedict XIII.). [3] *Cal. of Docs.*, iv. per Index. [4] *Scottish Antiquary*, xvii. 6. [5] *Cal. of Docs.*, iv. 1032. [6] *Exch. Rolls*, v. 20. [7] *Laing Charters*, No. 124; cf. also *Reg. Mag. Sig.*, 22 January 1449-50. [8] *Exch. Rolls*, iv. p. clxxi. [9] Cf. *Memorials of the Haliburtons*, 12. [10] Mackenzie's *History of the Chisholms*, 40.

4. *William*, who, about April 1438, resigned some lands in the barony of Dirleton in favour of John Haswell,[1] mentioned in an extract of the service of Sir Norman Leslie as heir of his cousin Sir David in May 1439.[2]
5. *Christina*, married, as his second wife, in 1440, to George, Earl of Rothes. Nineteen years later the Earl raised an action of divorce against his wife on the ostensible ground that they were within the forbidden degrees of consanguinity, but his reasons for so doing are not apparent.

Walter, Lord Haliburton, had another son, perhaps of doubtful legitimacy, who is described in a writ of 15 April 1478 as Sir John Haliburton, vicar of Greenlaw, uncle of George, Lord Haliburton.[3]

I. JOHN, first Lord Haliburton. He was Sheriff of Berwick in 1447.[4] He is styled John, LORD HALIBURTON, in a charter of 11 April 1450.[5] He died between 31 October 1452, when he granted a charter of the lands of Balmablare and others to James Whitelaw,[6] and 5 July 1454.[7] He married Janet, younger daughter of William Seton, son of Sir John Seton, and sister of George, first Lord Seton.[8] She married, secondly, Edward Congalton of that Ilk.[9] There were two sons:—

1. PATRICK, second Lord Haliburton.
2. GEORGE, third Lord Haliburton.

II. PATRICK, second Lord Haliburton of Dirleton, had a charter of the barony of Dirleton to himself, and another of the lands of Lamden and lordship of Haliburton to himself and his wife, on the resignation of his father 28 March 1451;[10] and another of the dominical lands of the said barony and the castle of the same 24 March 1451-52.[11] He had a papal dispensation, 6 July 1448, on his marriage to Margaret, daughter of Patrick Hepburn of Hailes, they being within the third and fourth degrees of consanguinity:[12] by her

[1] *Laing Charters*, No. 116. [2] *Historical Records of the Family of Leslie*, ii. 28. [3] *Laing Charters*, No. 172. [4] *Reg. Mag. Sig.*, 22 January 1449-50. [5] *Ibid.*, 17 May 1450. [6] *Ibid.*, 30 July 1468. [7] *Exch. Rolls*, v. 641. [8] Seton's *Family of Seton*, i. 99. [9] Reg. Ho. Charter, No. 375b. [10] *Reg. Mag. Sig.* [11] *Ibid.* [12] *Vatican Reg.*

he had no issue. She survived him, and was married, secondly, to Andrew Ker, younger of Auldtonburn, and, thirdly, to Archibald Forrester of Corstorphine.[1]

III. GEORGE, third Lord Haliburton of Dirleton, succeeded his brother some time previous to 18 August 1459, on which date he is named in a charter to John Dalrymple of certain lands in the barony of Bolton, of which Lord Haliburton had the reversion on payment of a thousand merks.[2] In 1469 he had sasine of the lands of Ballegarno and others,[3] which he seems to have parted with not long afterwards.[4] He appears as sitting in Parliament as late as 1488,[5] but must have died before 28 April 1490, when his eldest son's widow got a grant of the ward and relief of his lands.[6] His wife's name was Mariota, and she is described in a charter of uncertain date, but probably about November 1474,[7] of the lands of Dirleton to their son Archibald, as 'consanguinea regis.' By her he had three sons:—

1. ARCHIBALD. He had a charter of Dirleton as above, and was alive on 27 July 1486, when, as fiar of the lands and barony of Boltoun, he granted these possessions in liferent to his mother,[8] but was undoubtedly dead before 30 June 1488, when he is styled *quondam* in the confirmation of the above-mentioned charter to his mother. As both his name and that of his father disappear from the records at the same time, it is not improbable that they fell at the battle of Sauchie, which took place on 11 June 1488. He married Helen, daughter of Sir James Shaw of Sauchie; she married, secondly, about 1489, as his second wife, Sir Patrick Home of Polwarth, who died in 1504. By Archibald Haliburton she had issue

   JAMES, fourth Lord Haliburton.

2. PATRICK, fifth Lord Haliburton.
3. *Andrew*. Both these sons are mentioned in the grant to Helen Shaw above mentioned.

[1] *Laing Charters*, Nos. 172, 179; cf. vol. ii. 148. [2] *Reg. Mag. Sig.* [3] *Exch. Rolls*, ix. 670. [4] *Reg. Mag. Sig.*, 15 August 1475 and 30 January 1475-76. [5] *Acta Parl. Scot.*, ii. 200. [6] *Reg. Mag. Sig.* [7] *Ibid.*, 1424-1513, No. 1189. [8] *Ibid.*, 30 June 1488.

IV. JAMES, fourth Lord Haliburton. His mother had a gift of his marriage 19 August 1488 and 28 April 1490. As Lord Haliburton he granted to Sir James Shaw of Sauchie, 2 February 1502-3, the lands of Auchingouny in Perthshire.[1] He cannot have held the title long, but died unmarried, and was succeeded by his uncle Patrick.

V. PATRICK, fifth Lord Haliburton, had a charter to himself and his wife, Christian Wawane, of the lands of Segy, co. Kinross, 24 May 1505.[2] He also did not enjoy the title long, and was dead before 10 February 1506-7, when certain lands in Kincardineshire belonging to his three daughters and co-heiresses were apprised and granted to James Betoun, son of David Betoun of Creich. He married, first, Margaret, daughter of James Douglas of Pumpherston and Adeston; and secondly, Christian, daughter of Thomas Wawane of Stevinston. She married, secondly, before 1511, William, first Earl of Montrose.[3] By his first wife Lord Haliburton had three daughters:—

1. JANET.
2. *Mariota*, married to George, Lord Home. (*See that title.*)
3. *Margaret*, married to George Ker of Faudonside.[4] In 1526 she sealed a deed with her own seal bearing a bend charged with three mascles.[5]

Lord Haliburton had also a natural son *Mr. David*, who had letters of legitimation on 19 April 1543, and is then described as a household servant of the Queen.[6]

VI. JANET, *suo jure* Baroness Haliburton of Dirleton or Baroness Dirleton, was married, about 1515, to William, second Lord Ruthven. In 1548 she appended her seal to a deed; it bears the same arms as those mentioned as having been borne by John Halyburton, who married the Cameron heiress (*vide ante*, p. 333 *n.*). The legend is S. JOHANNETE DOMINE DE DIRLTŌ.[7] On her death, which probably took place about 1560, the title descended to her son Patrick, third Lord Ruthven. His son William, Lord Ruthven and Dirleton, was created Earl of Gowrie in 1581, but was attainted and

[1] *Reg. Mag. Sig.*, 3 March 1502-3. [2] *Ibid.* [3] *Ibid.*, 12 December 1511. [4] *Ibid.*, 7 April 1529. [5] Macdonald's *Scottish Armorial Seals*, No. 1185. [6] *Reg. Mag. Sig.* [7] Macdonald's *Seals*, No. 1184.

executed the following year, when all his honours were forfeited. In 1586 his son James was restored to all the honours, including the peerage barony of Dirleton. Dying young, he was succeeded by his brother John, who lost his life in the Gowrie conspiracy; he was, though dead, found guilty of high treason, and all his honours were again forfeited.

CREATION.—*Circâ* 1450.

ARMS.—Given by Nisbet as quarterly, 1st and 4th, or, on a bend azure three mascles of the first, for *Haliburton*; 2nd, or, three bars gules, for *Cameron*; 3rd, argent, a bend gules, for *Vaux*.

[J. B. P.]

Hamilton

HAMILTON, DUKE OF HAMILTON

HISTORIANS have ascribed various origins to this family. Hector Boece, followed by Buchanan and other writers repeating each other, gave rise to a legend that the Hamiltons were descended from the Earls of Leicester, and the chief historian of the House, somewhat feebly and with misgivings, also takes this view.[1] But he himself supplies evidence to the contrary, and it cannot be denied that the narratives as to the first of the Hamiltons in Scotland are either mutually contradictory or can be easily refuted on chronological and genealogical grounds.[2] One argument for descent from the great house of Leicester was that the armorial bearings of the Hamiltons, three cinquefoils, were a variation of the single cinquefoil of the Leicester family. It is, however, pointed out by a recent writer that this argument would also hold good for a descent from the Northumbrian family of the Umphravilles, who likewise bore a single cinquefoil.[3] The possibility of a Northumbrian origin had been suggested by an earlier writer,

[1] *Memoirs of the House of Hamilton*, by John Anderson, L.R.C.S.E., 1825. [2] The accounts are summarised and commented on in *An Inquiry into the Pedigree, etc., of the Hamilton Family*, by William Aiton, 1827. See also Fraser's *Earls of Haddington*, i. 1-6. [3] *Cal. Doc. Scot.*, i., Preface xxv, where Mr. Bain was the first to call attention to this armorial evidence.

Mr. John Riddell,[1] and the above armorial statement may tend to corroborate his theory, which is so far justified by the fact that there was a place named Hamilton in Northumberland. It belonged to the Umphravilles. The names of various persons named Hameldon or Hamilton are found at an early date in Northumberland and on the borders of Scotland,[2] though no evidence has been found of any connection with the Lanarkshire family. These facts give plausibility to the theory of Northumbrian origin, though it must be admitted that these alleged origins are but legends or mere theories, and are, as yet, without any satisfying evidence to support them. So far as record or charter evidence is available, the first undoubted ancestor of the Hamiltons was

Walter Fitz Gilbert, or Walter, son of Gilbert, who appears under that designation so early as 10 January 1294-95, as one of the witnesses to a charter by James, the High Steward of Scotland, to the monks of Paisley, granted at his manor of Blackhall in Renfrewshire.[3] The other witnesses are persons holding land in that locality. He appears also, with various local landowners, in a charter probably a little later, though the year is not certain, granted by Sir Herbert Maxwell to the same monks.[4] His name occurs in the Homage Roll of 28 August 1296, among the Lanarkshire and Renfrewshire lairds who swore fealty at Berwick, and he is styled 'Wauter fiz Gilbert de Hameldone.'[5] He kept his oath and attached himself to

[1] *Stewartiana*, 77-79. [2] *Cal. Doc. Scot.*, i. Nos. 247, 447, 541, 1499, 1687. [3] *Reg. de Passelet*, 96. [4] *Ibid.*, Fraser's *Maxwells of Pollok*, i. 127. [5] *Cal. Doc. Scot.*, ii. 212. This designation is important. Hameldone is an English form of Hamilton, and the spelling might have been the work of an English scribe; but the fact must be faced that in a charter of 12 December 1272 by Thomas of Cragyn or Craigie to the monks of Paisley of his church of Craigie in Kyle, there appears as witness a certain 'Gilbert de Hameldun, Clericus,' whose name occurs along with the local clergy of Inverkip, Blackhall, Paisley, and Dunoon (*Reg. Mon. de Passelet*, 233). He was, therefore, probably also a cleric of the same neighbourhood, and it is significant that 'Walter fitz Gilbert' appears first in that district in 1294, and in 1296 is described as son of Gilbert de Hameldone; while, as will be seen later on, Walter is said to have held lands from the High Steward. It may be added that if Andrew Stuart (*Genealogical History of the Stewarts*, 93, *note*; *House of Hamilton*, 39) is correct in his description of a charter then in possession of the Robertons of Earnock, Walter fitz Gilbert had a brother *Hugh*, but no further reference to him

the English party, and held, for a time at least, the lands of 'Ughtrotherestrother' in Fife, by a grant from King Edward I.[1] He remained an English partisan until the battle of Bannockburn, when he was captain of the garrison of Bothwell Castle.[2] After the battle the Earl of Hertford and other Englishmen sought shelter in Bothwell, but the Castellan was soon after compelled by a detachment of the Scottish army under Edward Bruce to render himself and the castle and all within it. He then joined the party of Bruce, who, on 3 March following, 1314-15, granted to him the lands or holding of Machan (Dalserf) which had formerly belonged to John Comyn.[3] At a later but uncertain date he received the barony of Cadzow from King Robert, a fact noted in a charter to his son by King David II.[4] He was a Justiciary of Lanark in 1321,[5] and two years later, on 28 July 1323, he having attained the rank of knighthood in the interval, the King further granted to him the lands of Kinneil, Lambert, and Auldcathy in the county of Linlithgow.[6] He is also said to have received the lands of Kirkcowan and others in Wigtownshire, and Edalwood in Lanarkshire,[7] but this last statement is erroneous, as the tenandry of Eddlewood was added to Cadzow only in December 1368,[8] for reasons stated in the next memoir. Sir Walter, however, had a law plea (date uncertain) with Oliver Carpenter, who received Eddlewood from King Robert Bruce.[9] Sir Walter is said to have been present at the battle of Halidon Hill, fighting in the High Steward's division,[10] and to have escaped from that conflict, so disastrous to the Scots, but as to this last there is no evidence. He appears, however, to have died before 1346.

Sir Walter Fitz Gilbert married, first, a lady named Helen, but whose surname is not recorded;[11] secondly, a Mary Gordon, whose family is not stated, but who is assumed to

has been found. The references quoted proving Walter Fitz Gilbert's presence in Scotland in 1294 and 1296 entirely refute the story of Sir Gilbert de Hameldon's flight to Scotland in the reign of Edward II. [1] Palgrave's *Hist. Documents*, 313. [2] *Cal. Doc. Scot.*, iii. Nos. 176, 243. [3] Cf. *Cal. Doc. Scot.*, ii. No. 1420. [4] *Eleventh Rep. Hist. MSS. Com.* (Hamilton Papers), App. vi. 13; *Acta Parl. Scot.*, i. 532; cf. Robertson's *Index*, 35, No. 15. [5] *Acta Parl. Scot.*, i. 479. [6] Hamilton Report, 12, 13. [7] *House of Hamilton*, 36, 37. [8] Hamilton Report, 13. [9] Cf. *Acta Parl. Scot.*, i. 512; Hamilton Report, 206, 207. [10] Hailes' *Annals* (1819), ii. 369. [11] *Reg. Epis. Glasguensis*, i. 227.

be a daughter of Sir Adam Gordon of Gordon. The grant of Machan in 1315 was to Walter Fitz Gilbert and Mary Gordon, and his heirs by her, whom failing, to his heirs by his previous wife, while the grant of Kinneil in 1323 refers only to his heirs by Mary Gordon. Sir Walter had issue, so far as on record :—

1. David Fitz Walter, who succeeded him and carried on the main line of Hamilton.
2. *John Fitz Walter*, described also in one writ as 'John, son of Walter styled of Hamilton,' married Elizabeth Stewart, daughter of Sir Alan Stewart of Dreghorn.[1] He appears as 'John, son of Walter, lord of the Rosse' in a charter by Adam More of Rowallan, dated at Maldislie 17 February 1383-84, and was still alive in 1394.[2] From him descended the Hamiltons of Innerwick and the Earls of Haddington.[3] (*See that title.*)

David Fitz Walter Fitz Gilbert, as he is frequently styled, was apparently the son of Sir Walter by his second wife Mary Gordon, and probably succeeded his father before 1346. In that year he was present at the battle of Neville's Cross, where he was made prisoner, and considered of so much importance that he was placed in the custody of the Archbishop of York, who was enjoined not to deliver him up without a special mandate from King Edward.[4] He is said to have been liberated for a heavy ransom. He was perhaps knighted before the battle, as the next reference to him in 1361 is as David Fitz Walter, Knight, when he founded a chaplainry in Glasgow Cathedral.[5] On 27 December 1368 he received a special charter from King David II. referring to a grant made by King Robert Bruce to his father the late Walter Fitz Gilbert of the barony of Cadzow for a yearly rent or feu of £80 sterling, with twenty-two chalders of wheat and six chalders of barley. But the King, being advised that the barony had been so diminished and destroyed by war and pestilence[6] that it

[1] Andrew Stuart's *Genealogical History*, 76. [2] Original writ in Gen. Reg. Ho., No. 181*a*; *Reg. Mag. Sig.*, 20 September 1451. [3] Fraser's *Earls of Haddington*. [4] Rhymer's *Fœdera*, v. 547. [5] *Reg. Epis. Glasguensis*, i. 262-265. [6] The first great pestilence or black death visited Scotland in 1349, and was followed by another outbreak in 1362.

could not yield so much money and grain yearly, confirmed the barony to Sir David, and added to it the lands or tenandry of Eddlewood, with an annualrent of four merks due therefrom, the grant specifying certain conditions.[1] He appears as one of the Barons in the Parliaments of Scotland on 27 March 1371 and 4 April 1373, when the succession to the Crown of Scotland was settled on John, Earl of Carrick and his successors. His seal is still attached, bearing a shield charged with three cinquefoils, surrounded by the legend 'SIGILL DAVID FILII WALTER.'[2] The date of his death is not exactly known. His successor is referred to in 1375 as son and heir of David FitzWalter, and he may then have been alive, but was apparently dead before 1378.[3] The name of his wife has not been ascertained. He is said to have married a daughter of an Earl of Ross, but there is no corroborative evidence.[4] He had issue:—

1. DAVID, who succeeded.
2. *Sir John Hamilton* of Fingaltoun, whose place in the pedigree has been erroneously stated. He is usually said to be the brother of Sir Walter FitzGilbert, but the evidence adduced is very insufficient, and as he is described more than once as 'uncle' of John Hamilton, son of David,[5] he appears rather to be a grandson of Sir Walter. He was present at the conflict of Homildon on 14 September 1402, and was either killed or taken prisoner there.[6] He is said to have been twice married, first, to Jane, daughter and heiress of Sir James Lyddell of Preston, and secondly, to Anna, daughter of Sir William Seton of that Ilk. He was the ancestor of the family of Hamilton of Preston, now represented by Sir William Stirling Hamilton, Bart.

3, 4. Two other sons, *Walter*, said to be ancestor of the Hamiltons of Cambuskeith and Sanquhar in Ayrshire,

[1] Hamilton Report, 13; *Acta Parl. Scot.*, i. 532. [2] *Acta Parl. Scot.*, i. 546, 549; *Scottish Armorial Seals*, Nos. 1198, 1199. [3] Hamilton Report, 14. [4] Cf. *House of Hamilton*, 42. Ferrerius, the first historian of the Gordons, seems to indicate that David married a Mary Gordon, but there is no conclusive evidence. [5] *Ibid.*, 343. The author of the *House of Hamilton* tries to explain away this designation of Sir John, but it appears, with other evidence, to be a correct statement. [6] *Tenth Rep. Hist. MSS. Com.*, App. vi. 77.

and *Alan*, described as of Larbert, are assigned to Sir David,[1] but no direct evidence has been found.

David Fitz Walter appears to have had a daughter married to Simon Roberton of Earnock, as his grandson, Sir John Hamilton of Cadzow, designates John Roberton, son of Simon, as his cousin in a charter about 1390, granting him the lands of Earnock.[2]

David Hamilton, who is described in a writ of 1375 as 'David de Hamylton, son and heir of David Fitz Walter,'[3] appears (though this is not quite certain) to have been the first of the family who formally took the surname of Hamilton.[4] In 1378 he is styled David de Hamilton, and in 1381 David Hamilton, Lord of Cadzow, being apparently the first of his family to adopt the baronial style. The writ of 1375 narrates an exchange between him and Sir Robert Erskine, to whom King Robert II., on 4 November 1372, had granted an annualrent of forty merks payable from the rent of Cadzow.[5] On 11 November 1375 the King transferred this annualrent to David Hamilton and his heirs, who in turn granted to Sir Robert Erskine the lands of Glenshinnoch in Erskine, and of Barns and others in Inchinnan.[6] There is no certain evidence as to how these lands came into possession of the Hamiltons, though Hamilton of Wishaw asserts that these lands were given by Walter, High Steward of Scotland, 'as a godbairn gift,' to 'Walter the sone of Sir Gilbert de Hamiltone' in the time of King Robert I.[7] This statement does not agree with exact dates, and Wishaw is not correct in the details of the charters he quotes, but he may indicate that Walter Fitz Gilbert held these lands as a vassal of the Steward, the probability of which is increased by his being found in 1294 as a witness to a charter of James the High Steward. It is perhaps in this direction and not in an English descent that the true origin of the Hamiltons is to be found.

In 1378 King Robert granted David a further remission of

[1] *House of Hamilton*, 42, 254. [2] Nisbet's *Heraldry*, ii. 154. [3] Hamilton Report, 14. [4] In a writ dated before 15 January 1369-70, quoted by Mr. Andrew Stuart (*History*, 76), Walter Fitz Gilbert is described as Walter called or styled Hamilton (cf. *House of Hamilton*, 307 *note*), as if that were not his proper surname. [5] Hamilton Report, 13, 14. [6] *Ibid.*, 14. [7] *House of Hamilton*, 452, 453.

sixteen merks yearly, payable out of the yearly rent due to the Crown from his barony of Cadzow. This sum was granted to Hamilton as a recompence for the resignation by himself and his wife of the lands of Drumcors in the barony of Bathgate to Sir James Douglas of Dalkeith, who claimed them as heir to his uncle William Douglas of Kingcavil. This resignation was made to secure concord between the two families.[1] Little more is on record as to David Hamilton. He was alive in October 1381, but the date of his death is uncertain, though it must have taken place before 1392, when his son was Lord of Cadzow.

He married Janet Keith, only daughter of Sir William Keith of Galston, who survived him, and was married, secondly, to Sir Alexander Stewart of Darnley, to whom also she bore issue,[2] though she was not the mother of Sir John Stewart of Darnley, as stated by various authorities. By Janet Keith David Hamilton had issue:—

1. JOHN, who succeeded.
2. *Sir William*, named in 1392, with his brothers Sir John and Andrew.[3] He had a charter from his mother Janet Keith of the lands of Bathgate and others,[4] and was the ancestor of the family of Hamiltons of Bathgate.
3. *Andrew*, named with his brother in 1392. He had a charter on 11 December 1406 from his mother of lands in Ayrshire, and is said to be the ancestor of the Hamiltons of Udstoun.
4. *John*, secundus, who is named in a charter of 1395 by Sir John Hamilton his brother.[5] He received a grant of the lands of Buthernock or Baldernock from Duncan, Earl of Lennox, resigned by his brother Sir John, and he is designed John Hamilton of Bardowie in an undated charter about 1390.[6] His wife was apparently Margaret Fraser, to whom he granted a charter of Buthernock in hope of marriage.[7] He became the ancestor of the Hamiltons of Bardowie,

[1] Hamilton Report, 14. [2] *The Stewarts*, No. 3, Stewart Society. [3] *Reg. Mag. Sig.*, fol. vol. 205. [4] *Ibid.*, 237. [5] Hamilton Report, 15; *House of Hamilton*, 209. [6] *House of Hamilton*, 210; *Genealogical History of the Stewarts*, 97. [7] *Cartularium de Levenax*, 72, 73, confirmed on 6 May 1394.

now represented by John Hamilton Buchanan of Spittal and Leny.

5. *Elizabeth* Hamilton, who, in 1400, was wife of Sir Alexander Fraser of Cowie, is believed to be a daughter of David Hamilton.[1]

Another son, *George*, who is said to have been the ancestor of the Hamiltons of Borland, is assigned to David Hamilton and Janet Keith,[2] but though a George Hamilton does appear about that period, definite evidence of his relationship has not been found.

Sir John Hamilton of Cadzow succeeded his father before 1392, as on 14 May of that year he is a witness to a charter by Andrew Murray of Touchadam.[3] In 1395 he granted the lands of Bawdriston or Balderston to Adam Forrester of Corstorphine, John Hamilton of Fingalton, his uncle, and John Hamilton [of Bardowie] being witnesses.[4] On 29 June 1396 King Richard II. ordered the Mayor and bailiffs of Norwich to release Sir John and his two brothers William and Andrew, who had been arrested and committed to Norwich prison in violation of the then truce between England and Scotland. Another John Hamilton, either his brother or his uncle, was on the same date set free from the Tower.[5] Two years later he and his uncle Sir John Hamilton of Fingaltoun had a similar adventure, for at a meeting at Hawdenstank of Border Commissioners on 28 October 1398, the first point of agreement was that Sir John Hamilton of Cadzow, Sir John Hamiltoun of Fingalton, and others, should be set at liberty. They had been captured at sea in a ship in violation of truce, and their captors were ordered to restore the ship and goods or refund their value.[6]

There is no information as to when he died, unless he be the Sir John Hamilton, elder, who appears in a list of prisoners and killed at Homildon 14 September 1402.[7] He married, before or about 1388, Jacoba, daughter of Sir James Douglas of Dalkeith,[8] and had issue:—

1. James, who succeeded.

[1] *The Frasers of Philorth*, i. 120. [2] *House of Hamilton*, 45. [3] *Reg. Mag. Sig.*, fol. vol. 205. [4] Hamilton Report, 15. [5] *Cal. Doc. Scot.*, iv. No. 483. [6] *Ibid.*, No. 511; Rymer's *Fœdera*, viii. 57. [7] *Tenth Rep. Hist. MSS. Com.*, App. vi. 77. [8] *Reg. Honoris de Morton*, ii. 162-163.

2. *David*, referred to in a safe-conduct to himself and his brother James, of date 6 September 1413,[1] and again in a charter of 18 April 1426, relating to the lands of Dalserf, which his brother had granted to him without permission from the Crown.[2] He is said to be the ancestor of the Hamiltons of Dalserf.
3. *Walter*, of whom little is known. He is named in a charter dated 20 May 1441, by Sir James Hamilton of Cadzow, afterwards Lord Hamilton, granting to his cousin James Hamilton, son of the late Walter Hamilton, the lands of Raploch, co. Lanark.[3] This Walter therefore seems to be the true ancestor of the Hamiltons of Raploch and others. The Thomas referred to in this connection in the *House of Hamilton*, and described as of Darngaber, is not found so styled, and he appears to have been a servant and not a son of the family.[4]

James Hamilton of Cadzow is named as son and heir of Sir John Hamilton of Cadzow in a writ of 1397, granting to him the lands of Kinneil resigned by his father, reserving to the latter and to David Fleming all contracts they had made for the marriage of James when he reached majority.[5] The next notice of him is a safe-conduct to him and his brother David to visit Calthorpe Castle in Lincolnshire.[6] In February 1423-24 he was one of those Scottish Barons who had safe-conducts to meet King James I. at Durham, and later he was one of the hostages who were given as security for payment of the King's ransom, when his estate was valued at 500 merks. He was first consigned to Fotheringhay and thence transferred to Dover Castle. The last notice of him as a hostage appears to be 24 May 1426.[7] He is said to have survived until 1455 or 1460, and even (as in Douglas) until 1479, but he appears to have died before 1440, when his son was married, and certainly before May 1441, when his son is described as Lord of Cadzow.[8]

[1] Rymer's *Fœdera*, ix. 49. [2] Hamilton Report, 15. [3] *Ibid.*, 213. [4] *Cal. Doc. Scot.*, iv. Nos. 839, 961, 970, 986. [5] Hamilton Report, 14, 15. [6] Rymer's *Fœdera*, ix. 49. [7] *Cal. Doc. Scot.*, iv. Nos. 942, 952, 960; *Fœdera*, x. 351. [8] Hamilton Report, 213, No. 132. Cf. also No. 11. The late Mr. Riddell, the famous writer on Peerages, expresses an opinion that this James, whom

He married Janet, daughter of Alexander Livingstone, Lord of Callendar, from whom she and her husband had a charter of the lands of Schawis, in the barony of Machan, co. Lanark, on 20 October 1422.[1] It is possible she was his second wife, but no other is on record. He had issue:—

1. James, afterwards first Lord Hamilton.
2. *Alexander*, named in a charter of entail of 1455 to James, Lord Hamilton, his lawful heirs, his natural son James, and his brothers and their issue in succession.[2] He had a sasine of the lands of Schawfield from the Crown in the same year,[3] and was probably the father of James Hamilton of Schawfield, who, as stated below, had a charter of Whitecamp in 1474. He is said to be the ancestor of the Hamiltons of Silvertonhill.
3. *John*, who had a charter to John Hamilton, brother of James, Lord Hamilton, from Alexander, Earl of Crawford, on 14 June 1449, of the lands of Whitecamp and Kirkhope, in the lordship of Crawford-Lindsay, in exchange for the lands of Wester Brichty in Forfarshire.[4] He died some time before 1455 leaving two sons *William* and *Robert*, named in the entail of that year,[5] but they must have died without issue, as on 9 November 1474 a precept of sasine in the lands of Whitecamp and others was granted by David, Earl of Crawford, to James Hamilton, nephew of John, and this James seems to be identical with James Hamilton of Shawfield, who with Elizabeth, his wife, had a charter of Whitecamp and Kirkhope from David, Earl of Crawford, on 16 November 1474.[6]
4. *Gavin*,[7] who became Provost of the Collegiate Church

he identifies with the first Lord Hamilton, was alive in 1451 (*Reply to Dr. Hamilton of Bardowie*, 1828, 6). He has been followed by the *Complete Peerage* (iv. 138, 139 and viii. 280) and by Mr. Joseph Bain (*Genealogist*, N.S., iii. 64), who also adopt the chronology given by Douglas. But the testimony of charter evidence, unknown apparently to these writers, leads to the opinion expressed in the text, which seems also to be more consonant with probability. [1] Hamilton Report, 15, No. 10. [2] *Reg. Mag. Sig.*, 23 October 1455. [3] *Exch. Rolls*, vi. 102; ix. 663. [4] *Fifteenth Rep. Hist. MSS. Com.*, App. vii. 63. [5] *Reg. Mag. Sig., ut supra.* [6] *Fifteenth Rep. Hist. MSS. Com.*, App. vii. 64, 65. [7] *The House of Hamilton* gives a fifth son Robert, but there is no other evidence of him, and the reference is to Robert, son of John, named in 1455.

of Bothwell.[1] He had a natural son *Thomas*, named in the entail of 1455 already cited, and according to *The House of Hamilton* the following, named in a charter by himself, dated at Bothwell 23 August 1468, were his sons. Mr. *Robert* Hamilton, canon of Glasgow, to whom he feued the lands of Osbernstoun or Orbistoun, to be held also to *Thomas* Hamilton, canon of Dunkeld, to *John* Hamilton, brother carnal of Thomas, and the lawful heirs-male of his body, whom failing to *Archibald* Hamilton, brother-german of John, whom failing to *Gavin* Hamilton, brother-german of Archibald, and to their lawful heirs-male successively.[2] He died before 29 May 1493, when letters of legitimation were issued under the Great Seal in favour of Mr. *David* Hamilton, rector of Carstairs, and *Gavin* Hamilton, natural sons of the late Mr. Gavin Hamilton.[3] He is claimed as the ancestor of the Hamiltons, Barons Dalzell, and their cadets.

5. *Agnes* Hamilton, who was married to Sir James Hamilton of Preston, is believed to be the daughter of this Lord of Cadzow.
6. *Elizabeth*, a daughter is said to have been married to —— Chalmers of Gadgirth.

I. James Hamilton, Lord of Cadzow, who succeeded, was the first of his family to take a prominent place in Scottish history, but only the chief events of his career need be noted here. His name first occurs as son and heir-apparent of James Hamilton of Cadzow in a Crown charter of 18 April 1426 to himself of the lands of Dalserf, which had been alienated by his father, without consent of King or Governor.[4] Little is recorded of him for the next few years, but he attained the rank of knighthood sometime before August 1440.[5] He appears to have been a strong supporter of the Douglas family, to whom he became allied by marriage. He received, on 3 July 1445, a charter erecting all his lands and baronies into a lordship to be called the lordship of

[1] *Reg. Mag. Sig.*, 23 October 1455; 20 February 1468-69. [2] *Ibid.* [3] Original writ Gen. Reg. Ho., No. 575. [4] Hamilton Report, 15. [5] *Acta Parl. Scot.*, ii. 56.

Hamilton, the manor called 'The Orchard,' in the barony of Cadzow, to be the chief messuage and to be in future styled Hamilton.[1] By the same writ the King created him a hereditary Lord of Parliament, and he took thereafter the title of LORD HAMILTON or 'le Hamilton.'

In 1450 Lord Hamilton accompanied William, Earl of Douglas, to Rome, and while there he presented a petition to the Pope, Nicholas v., for the erection of the parish church of Hamilton into a collegiate charge, with endowments for a provost and six chaplains.[2] It was not, however, until 1462 that the provost of the new erection was installed, George Graham, who had been vicar of Hamilton.[3] When William the eighth Earl of Douglas met his unhappy fate in Stirling Castle, Lord Hamilton is said to have ridden in his train, and a story is told of how, as he was following the Earl in at the Castlegate, a friendly hand thrust him back. But it is doubtful if Lord Hamilton did accompany the Earl on that occasion, and it was not until about a month after the Earl's death that his successor with Lord Hamilton and others made demonstration against the King, who harried Douglas and Clydesdale. An agreement made on 28 August 1452 at Douglas Castle, to which Lord Hamilton was a party, brought about peace for a time, but it was not of long duration.[4] In the beginning of 1453, he was in England, travelling under a safe-conduct, and later joined with the Earl of Douglas in petitioning the English King to release his brother-in-law Malise Graham, Earl of Strathearn, who had been a hostage in England for a quarter of a century.[5] His brother-in-law acknowledged the service done by granting to him and his wife the lands of Elliestoun, co. Linlithgow, on 17 December 1453.[6] In the following year he again went south, and was in London for a time, but he and the Earl were in Scotland in February 1455.[7]

In the following month of that year King James II. suddenly took the field against Douglas, and specially attacked the territories of Lord Hamilton. Thence he marched to the castle of Abercorn and laid siege to it in

[1] Hamilton Report, 15, 16; *Acta Parl. Scot.*, ii. 59. [2] Hamilton Report, 47; Bull by Pope Nicholas, 4 January 1450-51. [3] *Ibid.*, 48. [4] *Douglas Book*, i. 483. [5] *Ibid.*, i. 485. [6] Hamilton Report, 16. [7] *Ibid.*, 17.

the first week of April. Hamilton and Douglas mustered a strong force and endeavoured to raise the siege. It is said the Earl's indecision alienated Hamilton, who withdrew his followers, but a contemporary states that it was the persuasion of his uncle Sir James, afterwards Lord Livingstone, which led Hamilton to change sides. By his uncle's influence he was received into the King's favour, although warded for a time in Roslin Castle.[1] On 1 July 1455 he was made Sheriff of Lanark, and certain grants of lands made to him by the Earl of Douglas were confirmed by Crown charters.[2] On 23 October 1455 he had a special charter of all his lands and baronies of Drumsargard, Hamilton and Machan, co. Lanark; Kinneil, co. Linlithgow; Kirkynnan and others, co. Kirkcudbright, and Cessford, co. Roxburgh, uniting them into a barony of Hamilton, in favour of himself, Euphemia, Countess of Douglas, his wife, and their lawful heirs-male; whom failing, to Elizabeth, daughter of him and his wife and the heirs-male of her body; whom failing, to James Hamilton, natural son of Lord Hamilton, and his lawful heirs-male; whom failing, to the natural sons of Lord Hamilton and the lawful heirs-male of their bodies; whom failing, to Alexander Hamilton, brother of Lord Hamilton, and the heirs-male his body; whom failing, to William Hamilton, son of the late John Hamilton, brother of Lord Hamilton, and the heirs-male of his body; whom failing, to Robert Hamilton, brother-german of William, and his heirs-male; whom failing, to Thomas, natural son of Gavin Hamilton, brother-german of Lord Hamilton, and his heirs-male; whom failing, to Lord Hamilton's own nearest heirs bearing the name and the chief arms of Hamilton.[3] In the following year he was appointed by the abbot and monks of Kelso their bailie for life over their barony of Lesmahagow.[4] He already held from them the lands of Draffan, and on 6 August 1457 the King further granted him the lands of Finnart, co. Renfrew.[5] A few months before he had put himself under the powerful protection of George, fourth Earl of Angus, the new lord of Douglas, by the usual bond of manrent, thus securing himself in his possessions.[6]

[1] *Exch. Rolls*, VI. xxx. [2] Hamilton Report, 17. [3] *Reg. Mag. Sig.* [4] Hamilton Report, 213, 214. [5] *Ibid.*, 17; *Reg. Mag. Sig.* [6] Hamilton Report, 29.

He continued his benefactions to the Church, among others, conveying to the University of Glasgow, in January 1460, a tenement in the High Street of Glasgow, and piece of land on the Dowhill, on condition that the masters and students should, daily, after dinner and supper, stand up and pray for him, his wife, and others, including all from whom he had received any benefit for which he had not made a full return.[1] Later, some time before 1476, he built and endowed a chapel and hospital in the parish of Shotts, then called Bertramshotts, because it was distant about eight miles from the parish church of Bothwell, and so desert, unfertile, and cold a mountain region, that many of the inhabitants died without receiving the sacraments. The endowments were to be obtained from the land reclaimed from the sea by permission from the King, in Lord Hamilton's territory of Kinneil.[2] He had devoted some of his energy to this work before 1473, and the land thus reclaimed was secured to him and his wife by royal charter in 1474, while the tithes went to the new chapel. The reclamation was made, it is said, at great cost.[3]

Lord Hamilton's name is found in many of the commissions named to treat of peace between Scotland and England, and he was also a frequent attender of the Scottish Parliament. His name appears among the Lords of Council up to 1479, in which year he died on 6 November.[4]

Lord Hamilton married, first, about 1441, Euphemia, eldest daughter of Patrick Graham, Earl of Strathearn, and widow of Archibald, fifth Earl of Douglas and second Duke of Touraine, who died 26 June 1439.[5] A dispensation in favour of James Hamilton and Euphemia Graham was issued by Pope Eugenius IV. on 25 February 1440-41.[6] She died between 1 August and 1 November 1468.[7]

Lord Hamilton married, secondly, not long before April 1474,[8] Mary Stewart, sister of King James III., and widow

[1] *Mun. Alme Universitatis Glasguensis*, i. 9-12. [2] Hamilton Report, 48. [3] *Reg. Mag. Sig.*, 11 September 1473; 12 July 1474. [4] *Registrum Epis. Glasguen.*, ii. 616. [5] *Douglas Book*, i. 420, 421, where the date of Lady Hamilton's death is inexactly given. [6] Andrew Stuart's *Geneal. Hist. of Stewarts*, 464, 465. [7] *Exch. Rolls*, vii. 619, 620. [8] She was then at Court as Lady Hamilton (*Accounts of the Lord High Treasurer*, i. 69). The editor suggests that the marriage took place in February or March 1473-74 (*Ibid.* pref. xliii). It has been stated by Ferrerius, Buchanan, and other old historians, followed by some modern writers, that this marriage

of Thomas Boyd, Earl of Arran. They had charters to them and their heirs-male, with special provision for any daughters of the marriage, on 12 July 1474, though the Papal dispensation is dated 25 April 1476.[1] She survived him, was alive in 1482, and died apparently in 1488.[2]

Lord Hamilton had issue:—

1. James, who succeeded as second Lord Hamilton.
2. *Elizabeth*, only daughter by the first wife, married to David, Earl of Crawford, afterwards Duke of Montrose.[3] (*See title* Crawford.)
3. *Elizabeth*, secunda, daughter by second wife, married to Matthew Stewart, Earl of Lennox. (*See that title.*) She was still alive in April 1531.[4]

Lord Hamilton had also several illegitimate children, of whom the following are known:—

1. *James*, named as natural son of Lord Hamilton in the entail of 23 October 1455, already cited, but his later history is obscure, and he appears to have died before 1473.
2. *John*, the son of a lady named Janet Calderwood, is described as eldest natural son of Lord Hamilton on 4 February 1473-74,[5] when his father granted to him, with remainder to his brothers Patrick and David, the lands of the upper part of Machanmuir, Broomhill, and Silvertonhill.[6] He is also named in a charter of entail, dated 17 January 1512-13, and four days later King James IV. granted a very full legitimation to him and his brother Sir Patrick, making them heirs of entail to their brother the first Earl of Arran.[7] The date of his death is uncertain, but it apparently took place before 1540.[8]

took place in 1469, by the King's wish, although Thomas Boyd, her first husband, was neither dead nor divorced from her. But the *Paston Letters*, which tell us of Boyd's residence in London about 1470 or 1472, imply that his wife was there with him, and it is said their two children were born abroad. Other evidence is also in favour of the statement in the text. [1] *Reg. Mag. Sig.*; Theiner, *Vetera Monumenta*, 477. [2] *Reg. Mag. Sig.*, 14 October 1482; *Exch. Rolls*, x. 113, where the death of *Margaret*, Lady Hamilton, is recorded, probably a clerical error for *Mary*. [3] Vol. iii. of this work, 23. [4] *Eleventh Rep. Hist. MSS. Com.*, App. vi. 34, 35. [5] This appears to show that the elder natural brother James was dead in 1473. [6] *Reg. Mag. Sig.*, 10 May 1491. This writ indicates that Lord Hamilton, in 1473, had no lawful male issue alive, and apparently only one daughter. [7] *Reg. Mag. Sig.*, 17 and 20 January 1512-13. The last writ shows the Earl had then no lawful issue. [8] *Reg. Mag. Sig.*, 15 September 1540.

He is said to have married, first, Elizabeth, daughter and heiress of Patrick Hamilton of Udstoun, relict of John Hamilton of Neilsland,[1] but the dates will not admit this, and she was apparently the wife of his son John. His first wife was Janet Hamilton, and she was mother of his sons *David* and *John*, and of his daughter *Margaret*.[2]

He is said to have married, secondly, Margaret, daughter of Robert Dalziel of that Ilk, but no record of this has been found.

3. *Patrick*, brother of John, also a natural son of Lord Hamilton, appears first in the charter of 1473 above cited. He attained the rank of Knight before 1498, and received the lands of Kincavil, co. Linlithgow, from King James IV. in that year, with the lands of Stanehouse and others.[3] He is thence described as Sir Patrick Hamilton of Kincavil, and named before his brother John in charters. He also is included in the entail of 1512-13, and the legitimation referred to. He was killed in that skirmish between the Hamiltons and the Douglases which took place in the streets of Edinburgh on 30 April 1520, known by the name of 'Cleanse the Causeway.' He married Margaret Stewart, who was probably a daughter of Alexander, Duke of Albany, and half-sister of John, Duke of Albany. She survived him, and was alive on 5 July 1542.[4]
4. *David*, who appears as brother of John and Patrick in the charter of 1473. He was provided to the Bishopric of Argyll or Lismore on 3 April 1497,[5] and he held also the Abbey of Dryburgh *in commendam*, to which he was provided on 13 May 1519.[6] He had already by a charter, dated 1 January 1507-8, received a grant of the Abbacy of Saddell in Kintyre, the lands being erected into a barony. The bishop built a castle there, which still stands.[7] In 1513 he procured Papal

[1] *House of Hamilton*, 249, inadvertently followed in article Belhaven, vol. ii. 38. But cf. that work, p. 346. [2] *Reg. of Deeds*, i. f. 449. It is supposed Janet Hamilton was the daughter of Robert Hamilton of Preston. [3] *Reg. Mag. Sig.*, 7 April and 22 September 1498. [4] *Reg. Mag. Sig.*; *Exch. Rolls*, ix. Pref. lviii. [5] Maziere Brady, i. 160. [6] *Ibid.*, 173; cf. Hamilton Report, 32, 33. [7] *Reg. Mag. Sig.*; *Orig. Parochiales*, ii. 23, 24.

letters in his favour of the Abbacy of Glenluce, but his right was disputed, and it is doubtful if he ever obtained possession.[1] He died, it is said, in 1523.[2]

II. JAMES, second Lord Hamilton, son of the preceding by his marriage with the Princess Mary, succeeded his father on 6 November 1479, when only a few years old, but the date of his birth is not certainly known, though it was probably 1475. He is first named on record in 1481, when he had sasine from the Crown of the barony of Hamilton, and of one-half of Crawfordjohn.[3] On 8 September 1482 he had a precept from Malise, Earl of Menteith, for infefting him as heir of his father in the lands of Elliestoun, co. Linlithgow, but it is not said he was then of age.[4] Nor could he have been of age when, on 1 August 1489, he received from King James IV. in person a formal investment in the office of Sheriff of Lanark, which had been held by his father,[5] and he took the oath of administration. In 1494 and 1495 he had sasine of Corsbaskat, Machanshire, Cormunnock, Finnart, and other lands.[6] In 1500 or 1501 King James IV., his cousin, with whom he was a favourite, gave him a gift of the ward and relief duties of some of his lands, and in September 1502 he sent dogs to the King, and the present of a crane in the following year.[7] Between April and August 1502 he was sent to Denmark on a naval expedition to aid in acting against the Swedes, and assisted in releasing Queen Christina of Denmark from captivity.[8] Lord Hamilton was present at the King's marriage to Margaret Tudor at Holyrood on 8 August 1503, and no doubt shone resplendent in the costume of white damask flowered with gold of which we hear in the Treasurer's accounts.[9] He was on the same day raised to the dignity of EARL OF ARRAN, though the actual grant of the lands and earldom of Arran was not made until the 11 August. They were bestowed it is said for his nearness of blood, his services, and specially for his labours and expenses at the time of the royal marriage.[10] In May

[1] Robertson's *Records of Parliament*, 541; *Epis. Reg. Scot.*, i. 239. [2] M. Brady, i. 160. [3] *Exch. Rolls*, ix. 681. [4] Hamilton Report, 214. [5] *Ibid.*, 19. [6] *Exch. Rolls*, x. 769, 771. [7] *Ibid.*, ix. 384*; *Treasurer's Accounts*, ii. 342, 396. [8] *Ibid.*, xliv., xc. 433. [9] *Ibid.*, ii. 306. [10] *Reg. Mag. Sig.*, 11 August 1503; Hamilton Report, 20.

1504 he started from Dumbarton on an expedition to the Isles under special commission from the King, and then or later his house in Arran appears to have been forcibly taken possession of, as in April 1505 warlike preparations were made to 'sege Watte Stewart in Lord Hamilton's house.'[1] Between September 1506 and January 1506-7 the famous Sir Anthony D'Arcy visited Scotland, and challenged its chivalry in the lists; it is said Lord Hamilton had many 'notable encounters' with him, and they seem to have been fairly well matched.[2] It was then, or in 1508, he took part in the famous tournament and show of arms organised by King James IV., who, as the Black Knight, played the champion of the Black Lady 'with the mekle lippis.' The King himself appears to have been the most successful in the lists, but the Earl of Arran is said to have gained the greatest honour as the best archer on horse or foot then in Scotland. It appears that he kept a stud of horses at Kinneil, to which the King paid a visit in July 1508.[3]

Between 1508 and 1513 little is recorded about the Earl. But shortly before Flodden King James intrusted him with command of a considerable fleet intended to serve on the coast of France and co-operate with the Scots army by intercepting Lord Thomas Howard the admiral. Unhappily Arran bungled his commission, did nothing, except a futile raid on Carrickfergus, and returned home only in November 1513, bringing with him but a remnant of the fleet with which he sailed.[4] He intrigued against the Duke of Albany when the latter came to Scotland as Governor, was deprived of the sheriffship of Lanark, was twice besieged and twice made peace with the Regent.[5] Albany returned to France for a time in June 1517, and Arran was one of six Regents appointed to govern Scotland in his absence.[6] In September 1517 Sir Anthony d'Arcy was murdered, and Arran was appointed by the Council Warden of the East March, and in the following year led an expedition against the Homes and others im-

[1] *Treasurer's Accounts*, III. Pref. xvii. [2] *Ibid.*, III. f. xlii. [3] *Lindsay of Pitscottie*, Scot. Text Soc., i. 243; *Treasurer's Accounts*, III. Pref. xlvii-li; iv. 131. [4] *Exch. Rolls*, xiv. pp. lxxvii. 21. *Pitscottie, ut cit.*, ii. 378. [5] *Treasurer's Accounts*. v. pp. xxxvii., xliii. [6] *Acta Parl. Scot.*, 395.

plicated in the murder. This appointment and the power thus thrown into Arran's hands roused the jealousy of the Earl of Angus, another Regent, from which arose a long-continued conflict or series of conflicts for supremacy between the rival factions of Douglases and Hamiltons. One of the most serious of these, and accompanied with much bloodshed, was the skirmish known as 'Cleanse the Causeway' on 30 April 1520, when Arran and his followers were defeated, and himself and his son James driven from the town of Edinburgh. It has been suggested, chiefly on the ground that a ship is referred to as hired for him, that he went to France at this time to hasten Albany's return, and that he came back with the Duke, but he was still in Scotland on 10 July 1520, when he entered into a bond at Glasgow with the Kers, who at that time were, on personal grounds, in opposition to the Douglas faction.[1] He may have gone to France in the interval, but appears to have returned before 19 January 1520-21, when the town of Edinburgh bound itself to him in manrent service.[2] He had been Provost of the burgh, but was shut out by the Angus party, and an attempt by him to enter the town in person was repulsed with bloodshed. Now, for a time at least, his friends had gained the upper hand. Albany's return to Scotland in November 1521 was a support to Arran, and Angus was banished to France, and was absent from Scotland until November 1524. Meanwhile Albany left Scotland finally in May 1524, and Arran joined Queen Margaret in her intrigues on behalf of her son the young King, who was recognised as King, and chose his officers on 31 July or 1 August 1524. But after a time the rule of the Queen and Arran excited discontent, and Angus was invited back to Scotland. After February 1525 he had regained his former influence, and Arran at first joined with him in the conduct of public affairs, but later he stood aloof. He was, however, in the Parliament of July 1525, named one of the lords who were to guard the King in turn, but though concessions were made to him for the sake of peace, he withdrew from public life. Towards the close of 1525 he joined a powerful combination of nobles, with the Queen, to wrest

[1] Hamilton Report, 32; *Douglas Book*, ii. 191, 194. [2] Hamilton Report, 33.

by force the young King from the Douglases, but when the critical moment arrived and Angus marched against them to Linlithgow, Arran retired, and forced the Queen to withdraw with him to Hamilton, while their followers submitted to Angus. Arran also allowed himself to be won over, and in September 1526 he joined Angus with a large force against his own nephew John, Earl of Lennox, who was defeated at Linlithgow on 4 September and slain by Arran's son, Sir James Hamilton of Finnart. Arran was found weeping over the slain Earl and pronouncing his eulogy.[1] Little is recorded of his later history, but he was present in the Parliament of September 1528, when his rival Angus and other Douglases were forfeited,[2] and on 16 November of the same year he had a grant of the lands and lordship of Bothwell which had belonged to Angus.[3] He did not long survive this, and died on or about 26 March 1529, when he made his will and gave up an inventory of his effects at his place of Kinneil.[4]

The first Earl of Arran was only twice married. His first wife was Elizabeth Home, daughter of Alexander, second Lord Home; she is distinctly called his spouse in a Crown charter of date 28 April 1490, to James, Lord Hamilton, and Elizabeth Home of the lands of Kinneil, to be held in conjunct fee, and to the heirs lawfully born betwixt them.[5] It is usually said that the Earl's first wife was Beatrix Drummond, daughter of John, first Lord Drummond. His relations with her will be noticed later, but there are two independent and contemporary testimonies to the fact that Elizabeth Home was the Earl's first wife. The first, probably the earliest in point of date, is a letter of 17 December 1542, when Viscount Lisle and Bishop Tunstall of Durham wrote to King Henry VIII. the information of Sir George Douglas in reference to Elizabeth Home that the Governor Arran was the next heir to the throne after the infant Queen, that his father's first wife was still living, and that he was born of his father's second wife, Janet Beaton, cousin of the Cardinal.[6] The second testimony is that of John Knox, who, writing about

[1] Hamilton Report, 6. [2] *Acta Parl. Scot.*, ii. 321. [3] *Reg. Mag. Sig.*, at date; Hamilton Report, 26. [4] *Ibid.*, 52, 53. [5] *Reg. Mag. Sig.*, at date. [6] Hamilton Papers, i. 336.

1566, expressly says that the Earl's first wife was Elizabeth Home, from whom he was divorced, and that the Governor was son of his second marriage.[1] There is thus evidence, apart from the charter of 1490 cited above, that Elizabeth Home was the Earl's first wife, and though they were divorced, that event did not take place at the earliest until 1504. The whole circumstances of the divorce are peculiar. It would appear that Elizabeth Home had been married to Thomas Hay, son and apparent heir of John, Lord Hay of Yester.[2] It is said he had gone abroad, and was believed to be dead. But her father and mother were apparently not married till after 30 May 1476,[3] and she must have been very young when, in April 1490, she is described as Lord Hamilton's wife. Her first marriage must, therefore, have taken place when she was quite a child.

Sometime before November 1504 the Earl of Arran raised an action against his wife, stating that though they were married and had lived as man and wife, he was not bound to adhere to her or show her a husband's affection, because a marriage had formerly been solemnised between her and the above-named Thomas Hay. The latter was dead before the divorce was pronounced, but it was proved by the depositions of witnesses that he had appeared before a notary to object, and had asserted that Elizabeth Home was his lawful wife, and therefore could not rightly be joined in marriage to Hamilton.[4] The date when this assertion was made is not given, but there is evidence that Thomas Hay, whether he had been abroad or not, was in Scotland on 20 June 1491,[5] a year after his alleged wife's marriage to Hamilton. If he took proceedings then, it is strange that the divorce was not pronounced until 1504. Further, the sentence of divorce, though pronounced

[1] *Hist. of Reformation*, Wodrow ed., i. 107, 108. [2] Another version is that Sir Thomas Hay married, about 1489, a daughter of Lord Borthwick, and was slain by some men of Eskdale in 1491, leaving issue a son, who died at the age of eighteen (*Cal. Scottish Papers*, i. 691, 692). [3] This was the date of her father's divorce from his first wife Isobel Douglas (*Twelfth Rep. Hist. MSS. Com.*, App. viii. 177). His second wife, Nicholas Ker of Samuelston, was Elizabeth's mother. [4] It is not stated that the marriage with Hay was consummated, only that it was solemnised, and it was probably, on the bride's part, only a child marriage. [5] *Reg. Mag. Sig.*, July 1491.

in that year, was repeated in similar terms on 11 March 1509-10,[1] which corroborates a statement made by Sir George Douglas in 1542 that the Governor's father lived with his first wife twenty years,[2] a period represented by the years between 1490 and 1510. It is thus evident that the divorce of 1504 was considered doubtful by contemporaries, and that the parties separated finally only after the renewal of the sentence. Elizabeth Home survived her husband and died in 1544, her brother George, Lord Home, being retoured her nearest heir in July 1546, in the lands of Friarness, co. Berwick, in which he was infeft on 10 July 1546.[3]

The Earl married, secondly, Janet Beaton, said to be a daughter of Sir David Beaton of Creich, widow of Sir Robert Livingstone of Easter Wemyss and Drumry, who was killed at Flodden.[4] Their banns of marriage were published on 2, 9, and 11 November 1516, and they were married between that date and 23 November, when they had a joint charter of the lands of Kinneil.[5] Janet Beaton died about 1522,[6] and by her the Earl had issue two sons and a daughter:—

1. James, who succeeded as second Earl.
2. *Gavin*, who is styled brother-german of the Earl of Arran in a series of Crown charters, the last in which he is named being dated 22 October 1542.[7] He died before 1549, and his brother the Earl was his executor,[8] the amount of executry being £20,000 Scots. He had a natural son *Gavin*, who was legitimated by royal letters on 21 February 1553-54.[9]
3. *Helen*, designed in her father's will his 'lawful and firstborn daughter,' married to Archibald, fourth Earl of Argyll, apparently before her father's death, with a dowry of £1666, 13s. 4d.[10]

The Earl had several natural children:—

1. *Sir James Hamilton*, the eldest natural son, had a

[1] Hamilton Report, 51. [2] Hamilton Papers, i. 336. [3] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 157, 158. [4] *Reg. Mag. Sig.*, 9 May 1508. [5] *Ibid.*, 23 November 1516. [6] Cf. her husband's will in March 1529 (Hamilton Report, 53), where she is said to have been dead for seven years. [7] Hamilton Report, 21; *Reg. Mag. Sig.*, 1513-1546, per Index. [8] Hamilton Report, 37; cf. *Acta Dom. Conc. et Sessionis*, xxvi. f. 87. [9] *Reg. Sec. Sig.*, xxvi. f. 75. [10] Hamilton Report, 53; *Reg. Mag. Sig.*, 27 August 1529, where she is also styled 'lawful' daughter.

Crown charter on 3 November 1507 of the lands of Finnart, co. Renfrew, from which he took his chief designation. He is said to have been the son of a lady named Boyd. He was one of the most remarkable men of his day, though he is said to have been fierce and unscrupulous. He was legitimated on 20 January 1512-13, with Sir Patrick Hamilton of Kincavil and John Hamilton of Broomhill, his uncles, and it is there stated that at that date the Earl of Arran had no heirs lawfully born of his body. Sir James was thus for a time the nearest heir of his father. He does not appear much on record till 1526, but from that date until 1539 he received very frequent grants of land, and acquired by favour or purchase very extensive estates. He was in 1536 appointed Principal Steward to the King, and he was Architect and Master of Works on Linlithgow and other royal palaces. His downfall was rapid and his fate tragical. He is said to have favoured a scheme put forward by the clergy to put down heresy by confiscating the property of heretics, and to have been chosen as a fit agent to carry out the plan. One of his own relatives, who had learned of the scheme, laid information against him, which led to his arrest, and he was ultimately charged with treason and plotting with the Douglases against the King's life, and after a summary trial was sentenced and forfeited on 16 August 1540,[1] being probably executed on the same day. Knox pronounces no opinion on his guilt, and it is not improbable that his death was really a political murder, brought about by his personal enemies, who took advantage of the King's bitter hatred against the Douglases to remove Sir James, whose influence was feared. He married Margaret, only daughter and heiress of Sir Robert Livingstone of Drumry and East Wemyss, and had a son *James*, ancestor of the Hamiltons of Gilkerscleugh, and a daughter *Agnes*, married to James, Lord Somerville.[2] He had also several illegitimate sons, *Alexander*, *Andrew*, *James* (by Mariota

[1] *Acta Parl. Scot.*, ii. 434. [2] *Reg. Mag. Sig.*, 9 April 1536.

Stewart), *James*, the younger (by Elizabeth Murray), and a daughter *Agnes* (by Elizabeth Elphinstone), married to Alexander Dalmahoy of that Ilk.[1] Margaret Livingstone, Lady Hamilton, survived her husband, and in 1552 was wife of John Wemyss of Pittencrieff.[2]

2. *John*, designed son of the Earl, and Commendator of Paisley, in his father's testament. He was born about 1510. On 17 May 1525 Pope Clement VII. issued a Bull, addressed to John Hamilton, monk of Kilwinning, appointing him, then in the fifteenth year of his age, to be Commendator of Paisley till his twenty-second year, and thereafter Abbot thereof.[3] He was styled Commendator and Abbot of Paisley until he became Bishop of Dunkeld, to which he was provided on 17 May 1544,[4] but did not obtain possession till about August 1546. Previous to that he was formally legitimated on 20 June 1546.[5] He was transferred to the metropolitan see of St. Andrews in June 1549.[6] He took an active part in the history of his time, and was the leading ecclesiastic in Scotland after the death of Cardinal Beaton. He became an object of great enmity to the Protestant party, and when he was taken prisoner at Dumbarton in 1571, he was hanged by the victors at Stirling on 7 April 1571. He had issue by Grizel Sempill, daughter of Robert, Master of Sempill, afterwards third Lord Sempill, and wife or widow of James Hamilton of Stonehouse, who was killed in 1548,[7] *William* of Drumry, also designed 'of Torry,' *John*, ancestor of the Hamiltons of Blair.[8] He is also said to have had a third son by her, *James*. He had another son, *David*, legitimated 20 April 1580, and a daughter *Jean*, married to Robert Bruce of Blairhall.

[1] *Reg. Mag. Sig.*, 17 September 1534 and 7 May 1558; cf. *Reg. of Deeds*, iv. f. 174. [2] *Acta Dom. Conc. et Sess.*, xxvii. f. 134b. [3] Bull engrossed in a notarial instrument of 15 September 1525 *penes* Rev. A. T. Grant. The Consistorial Act quoted by Maziere Brady, i. 206, in which Hamilton is called John Burnet (supposed to be his mother's name) is a late copy, and not wholly to be relied on. [4] M. Brady, i. 130-132. [5] *Reg. Mag. Sig.*, at date. [6] Between 28 May and 4 July 1549; cf. Hamilton Report, 23, 24 (Nos. 36, 37). [7] Knox's *Hist. of Reformation*, Wodrow ed., i. 124 *n.*, 125 *n.*, 280 *n.* [8] *Reg. of Deeds*, v. f. 390.

3. *John Hamilton*, styled variously of Samuelston and of Clydesdale, was also an illegitimate son of the first Earl of Arran. The date of his birth is not certain, but he married shortly after 24 August 1531 Janet Home, only daughter and heiress of Alexander, third Lord Home, who brought with her the estate of Samuelston, in East Lothian.[1] He was alive in 1566, but the exact date of his death has not been ascertained, though he seems to have died before 1574.[2] By his wife he had issue *James*, who succeeded him, *Gavin*, *Mr. John*, rector of Dunbar, *Alexander*, and *Margaret*, married, first, to James Johnstone, younger of Johnstone; secondly, to David Douglas, seventh Earl of Angus; and thirdly, to Sir Patrick Whitelaw of that Ilk, who died before 1571.[3]
4. *James*, designed in a Crown charter of 1539 as brother of John Hamilton of Clydesdale, and son of Elizabeth Lindsay. It is possibly he who is styled of St. John's Chapel and Sprouston. He acquired St. John's Chapel by marriage (in terms of contract dated 14 September 1551)[4] with Marie or Marion Hepburn, daughter of the deceased Patrick Hepburn of Fairnington, and granddaughter of Patrick Hepburn of Bolton, Master of Hailes, who died in July 1571. He died 29 October 1585, and had issue, *Alexander*, *John*, *Patrick*, *James*, *Andrew*, *Thomas*, *Marion*, *Margaret*, *Nicolas*, and *Jane*.[5] *John*, who succeeded, died in August 1587, leaving three co-heiresses, *Margaret*, *Jean*, and *Marie*.[6]
5. *James*, designed in the charter of 1539 as brother of Sir James Hamilton of Finnart. He was provided to the see of Lismore or Argyll on 14 July 1553,[7] holding also the subdeanery of Glasgow. He joined the Protestant party in 1560. He died at Old Monkland, his subdeanery, on 6 January 1579-80, intestate, the

[1] *Reg. Mag. Sig.*, 12 February 1531-32; *Twelfth Rep. Hist. MSS. Com.*, App. 162. [2] *P. C. Reg.*, i. 193, 248. [3] Vol. i. of this work, 193. [4] *Acta Dom. Conc. et Sess.*, xxvii. f. 5. [5] Edin. Tests., iv. 27 February 1575-76; xvi., 13 August 1586. [6] *Ibid.*, 14 February 1587-88. See their husbands named in writ of 13 June 1612, *Reg. of Deeds*, ccxvi., 10 December 1613. [7] Maziere Brady, i. 161.

inventory of his effects being given up by William Hamilton, burgess of Canongate, his lawful son. The name of his wife has not been ascertained.[1]

The first Earl had also a number of daughters, who, as Helen, Countess of Argyll, is the only daughter described as lawful, were probably all illegitimate:—

6. *Anna*, described as a natural daughter, and as 'full sister to Sir James Hamilton of Finhart,' above named. She was married, 'at the Castle of Hamilton,' 20 December 1510, to Hugh, fifth Lord Somerville, as his first wife, and died of the smallpox in 1516, without male issue.[2]

7. *Margaret*, married, before 22 August 1515,[3] to Andrew Stewart, Lord Avondale, is usually claimed as a daughter of the first Earl of Arran by his alleged first wife, Beatrix Drummond, daughter of John, first Lord Drummond. If so, she was certainly illegitimate, as appears from a Crown charter on 11 May 1496,[4] while Elizabeth Home was still Lord Hamilton's wife, granting the baronies of Hamilton, and specially Machanshire, Curmannock, and Drumsargard, to Beatrix Drummond and the male children born between her and Lord Hamilton, a distinction being made between them and his lawful issue. Her father was a witness to the charter. On 3 July 1498, as Lady of Machanshire, Beatrix raised an action against Lord Hamilton for wrongfully uplifting the rents of her liferent lands, but by consent of parties the matter was delayed for decision by the King, on his return from the Isles, and no more is heard of the case.[5]

8. *Jean*, so called in her father's will,[6] or *Janet*, married to Alexander Cunningham, Master of Glencairn, about November 1526, but separated from him before 11 July 1545, when he was ordered by the Court of Session to infeft her, formerly his spouse, in lands worth £100 yearly.[7]

[1] Edin. Tests., 18 March 1590-91; 17 April 1605. [2] *Memoirs of the Somervilles*, i. 321, 332. [3] *Reg. Mag. Sig.*, at date. [4] *Ibid.* [5] *Acta Dom. Conc.*, viii. f. 34. [6] Hamilton Report, 53. [7] *Reg. Mag. Sig.*, 26 November 1526; 12 February 1545-46.

9. *Isabella*, married to John Bannatyne of Corehouse, shortly after the death of her father, who left her for her dowry and dress £573, 7s. 8d. Scots.[1] She had a charter from her husband of certain lands on 21 July 1529,[2] and died before January 1570-71,[3] leaving issue.
10. *Jean*, married to David Boswell of Auchinleck, and received by her father's will for dowry and dress £525, 18s. 6d. Scots.[4] They had a charter of the barony of Auchinleck and others on 12 February 1531-32.[5] He died between 1556 and 1561, and she was married again to John Hamilton of Auchingemmill before June 1563.[6]
11. *Jean*, named in her father's will in 1529 as 'now married to the first-born son of the Lord Somerville,' and she received 'for her dowry and bodily attire' £866, 13s. 4d.[7] This appears to be James, Master of Somerville, eldest son of Hugh, fifth Lord Somerville, by his second marriage. She appears to have died without issue, as, later, he married Agnes, daughter of Sir James Hamilton of Finnart.[8]
12. *Elizabeth*, married (contract at Hamilton 27 May 1543) to Robert, son and heir of Robert, Master of Sempill, son of William, Lord Sempill, with a dowry of £1000 Scots, promised by her brother, then Governor.[9]
13. *Janet* or *Jane*, 'natural daughter of the late Earl of Arran,' married to William Stewart after 18 June 1547. Her brother, the second Earl, granted them the lands of Grange Miltoun, Clentrie, Tyrie, and other lands in Fife, under reversion of £1200 merks. She died before 8 May 1551, leaving issue a son *John*.[10]

[1] Hamilton Report, 53. [2] *Reg. Mag. Sig.*, 16 March 1555-56. [3] *Reg. of Deeds*, xi. f. 326. [4] Hamilton Report, 53. [5] *Reg. Mag. Sig.* [6] *Reg. of Deeds*, i. f. 383; iv. f. 314; vi. f. 444. [7] Hamilton Report, 53. [8] *Reg. Mag. Sig.*, 9 April 1536; 25 July 1550. [9] Hamilton Report, 53. The *Complete Peerage* [vii. 110] gives this date, 27 May 1543, as that of a contract between the Master of Sempill and Elizabeth, daughter of Sir William Hamilton of Sanquhar, but the terms of the writ cited in the text are unmistakable. Father and son may have been contracted on same day. [10] Riddell's *Scottish Peerages*, i. 471; *Acta Dom. Conc. et Sess.*, xxvii. f. 67.

III. JAMES, second Earl of Arran, succeeded to his father while yet a minor, being left under the tutory of his uncle, Sir James Hamilton of Finnart,[1] and he was apparently under age in 1532, when he received sasine of his lands and baronies of Hamilton and others.[2] He appears to have been the first builder (probably under his uncle's supervision) of the present Palace of Hamilton, which was still unfinished in 1542. In 1538 a purchase was made of a house, belonging to the Dean of Glasgow, in the town of Hamilton, and it and the adjoining ground went to form part of the site of the Palace.[3]

Arran was one of the nobles who accompanied King James v. on 1 September 1536, when he sailed to France on his matrimonial expedition.[4] It is said that he was with the King also in his voyage to the Isles in 1539. He was at that time, or a little later, suspected of a leaning to the reformed religion, then making secret but rapid spread in Scotland. Historians of the period all join in asserting that the prelates and clergy prepared a list, or more than one, of those suspected of heretical leanings, whose estates they proposed to the King to forfeit, and so enrich himself. Among these, according to Arran's own testimony, his name was included. On this account, as well as on other grounds, Cardinal Beaton endeavoured to get the Earl set aside after the death of King James by producing a document in the form of a notarial instrument narrating that the King, on his deathbed, had nominated himself, the Cardinal, James, Earl of Moray, George, Earl of Huntly, and Archibald, Earl of Argyll, to be tutors to the infant queen and joint governors of the realm.[5] This, however, was suspected, and set aside, and the Earl of Arran was chosen to be Governor, as being, by descent from Lady Mary Stewart, his grandmother, the nearest heir to the throne. He is said to have been of a gentle nature, which may in part account for his somewhat vacillating policy, but the true reason of this was doubtless the uncertain validity of his mother's marriage.

[1] Hamilton Report, 53. [2] *Exch. Rolls*, xvi. 556, 568. [3] *Ibid.*, 10, 21, [4] *Letters and Papers, etc., Henry VIII.*, xi. Nos. 400, 512. [5] This document, the existence of which has been doubted, is still extant in the Hamilton Charter-chest, and is printed in the Hamilton MSS. Report, 219. 220.

Either party in the realm, Catholic or Protestant, could call his legitimacy in question, and oust him from his position as heir-apparent. It has already been indicated that his position was threatened, and indeed both parties used pressure, as may be seen in the letters of the day.[1] Hence the Governor's anxiety to please now one faction and now the other.

He was at first well received, as he showed strong leanings towards the reforming party, and admitted two persons of similar views as his chaplains, for which he earned commendation from John Knox. This policy, however, he did not maintain, as his natural brother John, Abbot of Paisley, came from France and prevailed upon Arran to join Cardinal Beaton's party, who were opposed to an alliance with England, which Arran had favoured. The anti-English policy prevailed, with its opposition to reform.

The Governor, for some personal reason, made a will at Pinkie on 26 August 1548, which does not, as might appear, refer to the battle at that place, which was fought a year before, but seems to fix the date of the march towards Haddington, to expel the English from that town, in 1548. He appointed his brother, the Bishop of Dunkeld, as executor, and commended his family to the King of France, to whom the fortresses now in his hand were to be delivered.[2] On 8 February 1548-49 the Duchy of Chatelherault was granted to the Earl and his heirs.[3] Bishop Lesly says that this territory was granted at the prompting of the Queen-Dowager, Mary of Lorraine, as an inducement to resign in her favour the Regency of Scotland, which she greatly desired, and which she had already attempted to gain by other means. But Arran did not immediately resign, as she expected, and continued to hold office till 1554, when, after various agreements and formal discharges, he resigned on 10 April.[4] The Duke, as he was styled in Scotland, after this retired for a time into private life, but at a later date favoured the Reformers, and his name heads the list of signatures to the second Reformation Covenant of 27 April 1560,[5] while he was also present

[1] *Hamilton Papers*, i. 336; cf. *Cal. of Scottish Papers*, i. 691-694. [2] Hamilton Report, 53. [3] See an article on Arran's relations to this duchy in *Herald and Genealogist*, iv. 97-107. [4] *Acta Parl. Scot.*, ii. 517, 518, 600-604. [5] Hamilton Report, 42, 43.

in the reforming Parliament held in August of the same year.[1] He has been charged by Froude on the authority of Teulet with special vacillation and weakness at this time, on the evidence of a letter alleged to be sent by him, on 25 January 1559-60, to the French king, asking pardon and begging to be received to favour. But the Duke neither wrote nor saw that letter, as the Queen Regent herself avows that she alone concocted the document to bring Hamilton into disgrace.[2]

The Duke was one of those nobles who opposed the marriage of Queen Mary and Darnley, but the active measures taken by the Queen forced the recusants over the Border, and the Duke for a time went to reside in France. A letter of remission was issued to him and his household and dependants, to the number of 264 persons, on 2 January 1565-66, and the next day he and his three sons received licence to go abroad for five years.[3] When he returned to Scotland in 1569 Mary had been deposed, and after the battle of Langside had fled to England, while the Earl of Moray was Regent, although the Duke claimed that post for himself. He joined the Queen's party and opposed Moray, and then submitted to him, but, with his usual vacillation, broke his promise, and was committed to ward in Edinburgh Castle. He acted as the chief of the Marian party, not without much loss and damage to his property by the rigour of war and confiscation, until the Pacification between the factions made at Perth 23 February 1572-73.[4] He did not long survive this treaty and the decline of Mary's cause, but died at Hamilton on 22 January 1574-75.

He married, about 23 September 1532, Margaret, eldest daughter of James Douglas, third Earl of Morton.[5] She survived her husband, and was still alive in 1579.[6]

By her he had issue:—

1. *James*, Lord Hamilton, Earl of Arran, who was born in 1537 or 1538, as he was under twenty-three on 15 April 1560, when Randolph wrote to Cecil commending his good qualities.[7] He began life with much promise, but his later career was unfortunate.

[1] *Acta Parl. Scot.*, ii. 525, etc. [2] Teulet, i. 407; *State Papers, Elizabeth, Foreign*, ii. 481. [3] Hamilton Report, 43. [4] *P. C. Reg.*, ii. 193-200. [5] *Reg. Mag. Sig.*, at date. [6] Calderwood's *History*, Wodrow ed., iii. 442. [7] *Cal. of Scottish Papers*, i. 362.

In 1554 he went to France, and was commander of the Scots Guards there. He had strong leanings to the Reformers, and in 1560 the Scots Parliament proposed him as a husband to Queen Elizabeth. Unhappily, in April 1562, he showed signs of a disordered intellect, and was soon after pronounced insane.[1] He lingered on till March 1609, being nominally in possession of the title of Arran till then, though his brother Lord John seems to have administered the family estates.

2. *Gavin*, styled second son in two charters, both dated 22 October 1542.[2] He is also described as second son of the Regent in a grant of date 30 September 1543, by Queen Mary to him, and to John and David, his brothers-german, of the ward of William, Lord Herries, and the marriage of his three daughters.[3] Gavin appears to have died before August 1547, in his youth.
3. JOHN, afterwards first Marquess of Hamilton, of whom hereafter.
4. *David*, described in 1547 as third son of the Regent (thus suggesting that his elder brother Gavin had died), born apparently in the end of 1542, or beginning of 1543, had a grant of the lands of Grange and others, formerly belonging to James Kirkcaldy.[4] He also received, in April 1549, grants of Raith and other lands, forfeited from Sir John Melville of Raith,[5] which he held until 1563. He was in France in 1559, and was imprisoned there for some time.[6] Little more is known of him, as he does not appear to have taken an active part in public affairs. He died, apparently without issue, in March 1611, and his nephew James, second Marquess of Hamilton, was, on 6 July 1614, served heir to him in the lands of Inverkeithing and others in Fife.[7]
5. *Claud*, aged fourteen in March 1560, according to Randolph, but probably older,[8] fifth, but usually

[1] Calderwood's *History*, Wodrow ed., ii. 177, 178. [2] Hamilton Report, 21; cf. *Reg. Sec. Sig.*, xvi. ff. 68, 69, where this Gavin and his brother John are omitted. [3] *Ibid.*, 220; *Reg. Sec. Sig.*, xviii. f. 4b. [4] *Reg. Mag. Sig.*, 31 August 1547. [5] Fraser's *Melville Book*, i. 75. [6] *Cal. of Scottish Papers*, i. 234, 240, 474. [7] *Retours, Fife*, No. 229. [8] *Cal. of Scottish Papers*, i. 344.

described as fourth son, ancestor of the Earls and Dukes of Abercorn,[1] and his present representative is the direct heir-male of the House of Hamilton.

6. *Barbara*, the eldest daughter, was first contracted to Alexander, Lord Gordon, eldest son and heir of George, fourth Earl of Huntly, but it is not certain that the marriage took place, as he died before 18 June 1553, shortly after their betrothal, although in one writ they are said to have been married, and in another she is styled his relict,[2] and she, in December 1553, renounced all her rights over his lands. She was married (contract dated 22 December 1553) to James, Lord Fleming, Chamberlain of Scotland.[3]
7. *Jean* or *Jane*, contracted on 18 January 1553-54 to George, Lord Gordon, younger brother of Alexander, named above. She then assigned to her younger sister Anne her rights over the marriage of Hugh, Earl of Eglinton.[4] But this arrangement was afterwards reversed, and Jean was married (contract dated 13 February 1554-55) to the Earl of Eglinton.[5] (*See that title.*)
8. *Anne*, contracted, on 12 August 1558, and married to George, Lord Gordon, afterwards fifth Earl of Huntly.[6]

IV. JOHN, usually known as John, Lord Hamilton, was the next actual possessor of the Hamilton estates, or at least was the recognised head of the Hamiltons after his father's death, owing to his elder brother's mental incapacity. At a comparatively early age he was provided to the abbacy of Inchaffray, the Consistorial Act in his favour being dated 28 November 1547,[7] when he is said to be aged twelve. But his age is variously stated, the date of his birth being assigned by some to 1533 and by others to 1538, which was most probably the birth year of his eldest brother. There is, however, good reason to believe that Lord John was born not long before October

[1] Vol. i. 37-74. [2] *Acts and Decreets*, x. f. 56 b; Hamilton Report, 54. See also title Huntly. [3] *Acts and Decreets*, x. ff. 58, 59. [4] *Ibid.*, 61, 62. [5] *Memorials of the Montgomeries*, i. 44-46; ii. 148. [6] *Reg. of Deeds*, iii. 64. [7] Maziere Brady, i. 186-187.

1542, when he is first named in a charter.[1] He was still under age on 12 April 1560, but he declares in a writ of 26 April 1564 that he was then above the age of twenty-one.[2] In 1551 he resigned Inchaffray, and was on 4 September of that year provided to the rich and extensive abbacy of Arbroath.[3] He is styled Commendator shortly afterwards,[4] and held the lands until their annexation to the Crown, though his possession was much disturbed by George Douglas, a natural son of the sixth Earl of Angus, who claimed the abbacy as a postulate. Some time before March 1570 Douglas obtained possession of the abbey and held it with a strong hand, and Hamilton subsidised James, Lord Ogilvy, and his adherents to aid in regaining the place and to defend it when taken, on his behalf.[5] He, like all his family, was a devoted partisan of Queen Mary, and suffered the loss of much property in her cause. Latterly he was involved in the forfeiture of the Hamilton estates in 1579, when his own possessions of Arbroath were affected, and he fled to England, it is said, in a seaman's dress, and thence to France. He remained there a short time, afterwards joining his brother Claud in the north of England, where they resided until 1585. The ascendancy of James Stewart of Bothwellmuir, who had been created Earl of Arran on the resignation of that title in his favour by the insane Earl, came to an end in that year, as those who had suffered from his rapacity succeeded, with the aid of Queen Elizabeth,[6] in overthrowing his government. The Hamiltons became reconciled to the Earl of Angus, then also in exile, and they with him and other lords, with Elizabeth's permission, entered Scotland and marched with a considerable force to Stirling, where King James VI. and Arran were. The latter fled, and the banished lords were, on 4 November 1585, admitted to the King's presence, who, it is said, though they had not previously met, welcomed Lord John with a special cordiality as a faithful servant of his mother.

Lord John speedily rose high in the King's favour. At

[1] Hamilton Report, 21. [2] *Reg. of Deeds*, vi[2]. 6. [3] *Ibid.*, i. 166. [4] On 1 May 1552, *Acts and Decreets*, vi. 267. [5] Hamilton Report, 44. [6] That Queen's friendly feeling to the Hamilton exiles is shown in a letter of 10 October 1584 (Hamilton Report, 64), which led to a reconciliation with Angus.

a Parliament held in December 1585 at Linlithgow he was restored to his estates and appointed Keeper of the Castle of Dumbarton, with an additional pension of 550 merks.[1] He was a staunch Protestant, but it is said his devotion to Queen Mary led him to favour the Spanish invasion in 1588, as a revenge on England for her death.[2] The King was a frequent correspondent and wrote freely to Lord John, evidently holding him in high friendship. None of the letters preserved are of great importance, but they show the King at his best, and some of them deal with sport, one at least being a special appeal to Lord John to come to his aid in a challenge for the 'honoure of Scotland' against Lord Home, who has 'nyne couple of fleing feinds.' He requests Lord John to lend him a few of his 'fleetest and fairest running houndis,' also a good horse, that 'with Goddis grace, the Englishe tykis shall be dung doun.'[3]

In 1597 the King, in consideration of the services of Lord John and his family, and the loss they had sustained of the French duchy of Chatelherault (the value of which is stated as thirty thousand francs yearly), granted to him the temporalities of the abbacy of Arbroath, and continued the grant to his son.[4] On 15 April 1599 he was present at Holyrood at the baptism of the Princess Margaret,[5] and was then made a Peer. Two days later, on 17 April, he and the Earl of Huntly were, with great ceremony, in 'His Majesty's great chamber' at Holyrood installed in their proper places, his title being proclaimed as MARQUESS OF HAMILTON, EARL OF ARRAN, and LORD EVAN.[6] He survived his honours a few years, dying 6 April 1604, his last act being to commend his son to the King's favour.[7] Very shortly before his death he bound over his nephew, James, Lord Abercorn, to secure the interests of his unfortunate brother, the Earl of Arran, who was still alive.[8] Lord John Hamilton married (contract dated at Maybole 30 December 1577[9]) Margaret, only daughter of John Lyon, seventh Lord Glamis, widow of Gilbert, fourth Earl of

[1] *Acta Parl. Scot.*, iii. 383, etc.; Hamilton Report, 30, 224. [2] *P. C. Reg.*, iv. pp. xviii, 828. [3] Hamilton Report, 66-68. [4] *Ibid.*, 30, 67. [5] Calderwood in his history records the fact, but inadvertently styles her 'son' of the King (vol. v. 736). [6] The patent is not on record, but Nisbet in his *Heraldry*, ii. 162-164, gives a full account of the proceedings. [7] Edin. Tests., 30 June 1608; Hamilton Report, 68. [8] *Ibid.*, 46. [9] *Ibid.*, 55, 56.

Cassillis, who survived her second husband, and was alive on 21 April 1623.[1]

By her Lord Hamilton had issue.

1. *Edward*, born in England, who died young.
2. JAMES, afterwards second Marquess.
3. *Margaret*, married (contract dated at Hamilton 9 August 1597) to John, ninth Lord Maxwell. It is said that for some mysterious reason he raised an action of divorce against her, during the dependence of which she died.[2] They are generally said to have no issue, but a letter by King James to the Marquess of Hamilton on 23 July 1601 refers to Lord Maxwell and his wife and son.[3] The latter must have died young. Margaret, Lady Maxwell, was alive on 27 June 1606, when her husband was inhibited from alienating his estates to the detriment of his wife.[4]

Lord John Hamilton had a natural son *John* afterwards Sir John Hamilton of Lettrick (legitimated on 22 December 1600). He married Jean, daughter of Alexander Campbell, Bishop of Brechin, and was father of the first Lord Bargany. (*See* vol. ii. 27.)

A natural daughter, *Margaret*, was married, first (contract dated at Hamilton 29 December 1585), to Sir Humfrey Colquhoun of Luss,[5] by whom she had no male issue. Sir Humfrey was killed in July 1592, and his widow was married, secondly, to Sir John Campbell of Ardkinglas, whom she also survived. She was living in 1625.[6]

V. JAMES, second Marquess of Hamilton, is said to have been born in 1589. He was styled Lord Evan, after his father's promotion to the Marquessate, as his uncle still held the title of Earl of Arran. He had a charter of Arbroath on 11 November 1600.[7] His father on his deathbed specially recommended him to King James, who returned a very gracious reply, promising a renewed confirmation of the Abbacy of Arbroath, which was erected into a temporal lordship in his favour on 5 May 1608.[8] He succeeded his uncle the Earl of Arran in May 1609, in

[1] Vol. ii. 474. [2] *Book of Carlaverock*, i. 301, 314. [3] Hamilton Report, 68. [4] *Gen. Reg. Inhibitions*, xix. 42. [5] Hamilton Report, 55. [6] *The Chiefs of Colquhoun*, i. 146, 157, 163. [7] *Reg. Mag. Sig.* [8] *Ibid.*

the barony of Machanshire and the office of Sheriff of Lanarkshire. King James, it is said, was very desirous that the Marquess should attend at Court, but he preferred residing in Scotland. At last, however, he was prevailed on to go to London, and the King bestowed upon him many tokens of regard. He was made a Gentleman of the Bedchamber, a Lord of the Privy Council, and Steward of the Royal Household. In the beginning of 1617 he attended a Convention of Estates in Scotland, and was residing in that country when King James revisited his ancient kingdom. He was present with the monarch while in Scotland, and entertained him for two days at Hamilton Palace, on his southward journey. The Marquess was one of those called upon by the King to take communion after the English ritual, but it is not precisely stated that he obeyed.[1] He was present in the Parliament of June 1617, and he was one of those who welcomed, on a second visit to Scotland in August 1619, the Earl of Pembroke, William Herbert, the friend of Shakespeare and Ben Jonson. He accompanied the Earl south, after endeavouring to induce the Provost of Edinburgh to influence the citizens to submit to the King in matters of ritual.[2] A little while before, on 16 June 1619, the King had created him a Peer of England as EARL OF CAMBRIDGE and LORD INNERDALE, and on 9 February 1621 he was made a Knight of the Garter. A few months later he was called to play the part by which he is best remembered in Scottish history, and was on 3 July 1621 appointed High Commissioner to the Scottish Parliament,[3] timed to sit on 23 July 1621, the King's intention being that the articles as to ritual, known as the Five Articles of Perth,[4] should be ratified by the three Estates. After sitting from 23 July to 4 August, with intervals of other business, the articles were carried by a majority of twenty-five, though the honesty of the methods by which votes were obtained was much decried by the opposition.[5] The Marquess sent off the tidings to the King, who, a month later, granted a public approbation of his procedure and of all things done in the

[1] Calderwood, Wodrow ed., vii. 247, 249. [2] *Ibid.*, 391. [3] *Acta Parl. Scot.*, iv. 592. [4] So called because passed by a General Assembly at Perth 27 August 1618. [5] Calderwood, vii. 496, 506.

Parliament.[1] A contemporary records a 'prophecy' which was frequently in the popular mouth during this time:—

> 'O wretched Scott, when Keggow turns thy king!
> Then may thou doole and dolour daylie sing;
> For from the south great sorrow sall he bring,
> Therefore o'er Scott right short sall be his ring.'[2]

The Marquess died at Whitehall suddenly, or after a very brief illness, on 2 March 1624-25, shortly before the death of his royal master, then lying ill at Theobald's, who, on learning the fact, remarked, 'If the branches be thus cut down, the stock cannot long continue.[3] It was asserted that poison was the cause of death, but this is not proved. His body was brought to Scotland and interred with much ceremony at Hamilton on Friday, 2 September 1625.[4]

He married, before his father's death (contract dated 30 January 1603), Anna, daughter of James Cunningham, Earl of Glencairn. The lady's dowry is stated at 40,000 merks.[5] She is said to have been 'a lady of a firm and masculine character,' a description not belied by her long and clearly-worded will, written by herself on 4 November 1644, a year or two before her death.[6] They had issue:—

1. James, third Marquess and first Duke, of whom hereafter.
2. William, afterwards second Duke, of whom below.
3. *Anne*, eldest daughter, married (contract dated 7 and 13 April 1631) to Hugh, Lord Montgomerie, afterwards seventh Earl of Eglinton, and died at Struthers in Fife 16 October 1632; issue one daughter.[7]
4. *Margaret*, married to John, Earl of Crawford and Lindsay, and had issue.[8]
5. *Mary*, married, as his first wife (contract dated 4 June 1630) to James, Master of Drumlanrig.[9] (*See title* Queensberry.) She died *s. p.* 29 October 1633.

The Marquess had also a natural daughter *Margaret*, married to Sir John Hamilton of Biel, first Lord Belhaven.[10] (*See that title and* Blantyre.)

[1] On 19 September 1621, Hamilton Report, 69. [2] Calderwood, vii. 506. 'Keggow' is Cadzow, the cradle of the Hamiltons. The royal descent of the Marquess is also hinted at. [3] *P. C. Reg.*, xiii. 703 *n.* [4] *House of Hamilton*, 411, 412. [5] Hamilton Report, 55. [6] Hamilton Report, 55-57. [7] *Memorials of the Montgomeries*, i. 93. [8] Hamilton Report, 57. [9] *Ibid.*, 55. [10] Vol. ii. of this work, 40, 85.

VI. James, third Marquess of Hamilton, was born at Hamilton 19 June 1606.[1] He was, it is said, educated in Scotland, and latterly at Oxford, whence, his biographer states, he was summoned to see his father in his last illness, arriving in time to be present at his death. After his accession to the title and estates he remained in Scotland in retirement, till in 1628 he was called to public life by a pressing message from King Charles I. brought by his father-in-law the Earl of Denbigh. The Marquess returned to Court, and had a number of offices bestowed upon him, with the Order of the Garter. Soon after, by the King's desire, he entered into an agreement with Gustavus Adolphus, King of Sweden, to aid him in his invasion of Germany. In July 1631 he crossed to the Continent with some forces he had raised with difficulty. After more than a year of somewhat unsatisfactory service, he received, in September 1632, another commission to raise a new army of ten or twelve thousand men,[2] but his enthusiasm had cooled. He returned home to execute his commission, but it was annulled by the death of Gustavus Adolphus at Lutzen on 6 November 1632, although, for many years later, the Marquess had correspondence with old comrades in Germany, and also with Sweden.[3]

In 1633 he was with King Charles I. on the latter's visit to Scotland, and took part in the ceremonial of the King's coronation. After this he seems to have retired into private life for a time, until called to figure in an uncongenial sphere, in which he incurred a large amount of popular odium. The resistance to the Service Book in Scotland, begun in 1637, grew to serious dimensions, and Hamilton, in May 1638, received a special commission to settle disorders. He was very reluctant to undertake the task, but set about it to the best of his ability. He, however, found his efforts wholly ineffectual, and, notwithstanding the King's unwillingness, was obliged to proclaim a General Assembly of the Church of Scotland, which met at Glasgow on 21 November 1638.[4] The result of that Assembly is matter of history. Hamilton not long afterwards left Scotland, and when he came north in the following

[1] *House of Hamilton*, 135. [2] Hamilton Report, 81 and pp. 69-81, whence most of these particulars are taken. [3] *Ibid.*, 81 to 93. [4] *Ibid.*, 94-109.

year, it was as General and Commander of a fleet, with which the King hoped to overawe the Covenanters. The King, however, did not proceed to extremities; a treaty was made, and Hamilton again retired into private life, though he remained at Court for a time.

He was in Scotland when King Charles made his second visit to Scotland, and was, in October 1641, one of the intended victims of a conspiracy to make away with Argyll and himself. The plot was discovered, and is known in history as the Incident.[1] On 12 April 1643 the King by a charter dated at Oxford created the Marquess DUKE OF HAMILTON, MARQUESS OF CLYDESDALE, EARL OF ARRAN AND CAMBRIDGE, LORD AVON AND INNERDALE, with remainder to himself and the heirs-male of his body, whom failing, to his brother William and the heirs-male of his body; whom failing, to the eldest heir-female of the Duke's body, without division, and the heirs-male of the body of such heir-female, bearing the name and arms of Hamilton; whom all failing, to the nearest lawful heirs whatsoever of the grantee.[2] Later, he and his brother were slandered to the King, and the Duke was imprisoned for a time, first at Pendennis Castle, then at St. Michael's Mount in Cornwall, and was not released until April 1646.

When King Charles went to Newcastle and placed himself in the hands of the Scots army there, the Duke joined him, and thence went to Scotland, to advance, if possible, the King's interests, but all negotiations were vain owing to his Majesty's obstinate repudiation of the Covenant. When the King became a prisoner, Hamilton used every effort to procure his release, and to that end promoted the so-called 'Engagement' by gathering a force of Scottish royalists with which he entered England. This movement, however, was frustrated by the jealousies and lukewarmness of the English loyalists, and the Scots army, being almost unsupported, was defeated, and articles of surrender were arranged on 25 August 1648 at Uttoxeter.[3] In terms of these the Duke became a prisoner of war, and was imprisoned in various places, Windsor Castle being the

[1] *Hist. MSS. Rep., House of Lords Papers*, 1641. [2] *Reg. Mag. Sig.*
[3] Hamilton Report, 129; cf. 114-129.

latest. Here he had a short and affecting meeting with the King on his last journey to London, and from Windsor also he made an escape after the King's execution, but was retaken. He was then tried at Westminster, between 9 February and 6 March 1648-49, on which date he was sentenced to be beheaded on Friday 9 March. The final tragedy took place in Palace Yard, and his remains were sent to Scotland to his house of Kinneil, and thence borne to Hamilton, where they were buried. His will, written before setting out on his fatal expedition, and letters written in the last hours of his life, show him to be of an affectionate and kindly temperament, and that his brother and he were very strongly attached to each other.[1]

The Marquess married, in 1620, before his father's death, Margaret, daughter of William Fielding, Earl of Denbigh, and by her, who died 10 May 1638, had issue:—

1. *Charles*, Earl of Arran, died about the age of ten; buried 30 April 1640, in Westminster Abbey.[2]
2. *James*, and 3. *William*, both of whom also died young.
4. *Mary*, who also died young.
5. ANNE, who became Duchess of Hamilton, of whom below.
6. *Susanna*, married (contract dated 20 December 1668) to John, seventh Earl of Cassillis,[3] and had issue.

VII. WILLIAM, second Duke of Hamilton, succeeded to his brother on the latter's execution. He was born at Hamilton 14 December 1616. As he was very young at his father's death, he was brought up by his mother and brother, who sent him, first, to the University of Glasgow, and afterwards to the Continent and France, whence he returned in 1637.[4] On 31 March 1639 he was created EARL OF LANARK, LORD MACHANESCHYRE AND POLMONT, to him and his heirs-male succeeding to his estates.[5] In 1640 he was made Secretary of State for Scotland, and in 1644 was arrested in England with his brother, but made his escape, first to London, then to Scotland. In 1646 he was

[1] Hamilton Report, 57, 129; cf. also Burnet's *Lives of the Dukes of Hamilton*. [2] *Complete Peerage*. [3] Vol. ii. of this work, 484. [4] *House of Hamilton*, 144. [5] *Reg. Mag. Sig.*

one of the Commissioners sent by the Scottish Parliament to treat with the King at Newcastle, and later, after the King's imprisonment, he conducted correspondence with the English royalists on behalf of his brother's 'Engagement.'

He remained in Scotland while his brother led the Scots army into England, and did his utmost to uphold the King's party against the sectaries, but finding himself in danger of imprisonment, he made his escape abroad. He was at Campvere in Holland in June 1649, and appears to have resided there for a time. In January 1649-50 he received a letter from King Charles II., then in Jersey, conferring upon him the right to wear the Order of the Garter, followed a month later by the insignia.[1] He was at The Hague with the King on 19 March 1549-50, when he resigned in His Majesty's hands all the Hamilton estates, with his titles of Duke of Hamilton, Marquess of Clydesdale, Earl of Arran, Lanark, and Cambridge, Lord Machanshire, Polmont, and Innerdale, in favour of himself and his heirs-male, whom failing, to Anne Hamilton, his brother's eldest daughter, and the heirs-male of her body, whom failing, to other heirs of entail.[2] He returned to Scotland with King Charles II. in June 1650, though his doing so was objected to, and he was compelled, in terms of the Act of Classes, to withdraw from Court, and he remained in retirement until the end of January 1651. He then again joined the King, and took an active part in harassing the English garrisons in Lanarkshire. He also played a prominent part in the march of the Scots army with the King and General Leslie at its head. At Worcester, where the march ended, he charged with his regiment and fought bravely, but was severely wounded, his leg being crushed and broken by a shot, and he gradually sank and died on the 12 September 1651, nine days after the battle. It is said his life might have been saved had his leg been amputated at once, but the operation was delayed till it was too late. By his death the English titles of Earl of Cambridge and Lord Innerdale became

[1] Hamilton Report, 13, 51. [2] Resignation, partially recited in regrant to Anne, Duchess of Hamilton, on 15 June 1661 (*Reg. Mag. Sig.*, lib. lx., No. 31 MS.).

extinct, as also did legally, subject to regrant, the Scottish titles of Marquess of Hamilton, Earl of Lanark, Lord Machanshire and Polmont, while the title of Arran (1503) became dormant. The Scottish titles of Duke of Hamilton, Marquess of Clydesdale, Earl of Arran and Cambridge, Lord Avon and Innerdale, as conferred by the charter of 1643, passed, as in the destination, to the eldest surviving daughter of the first Duke. The Duke's will, written at The Hague 21 March 1649-50, makes his eldest niece Anne his executor, and recommends his five daughters to her care.[1]

The second Duke of Hamilton married, 26 May 1638, Elizabeth, eldest daughter of James Maxwell, Earl of Dirleton.[2] He wrote to her a most affectionate letter from Worcester a few days before his death.[3] By her, who survived him, he had issue:—

1. *James*, Lord Polmont, who died an infant; buried 12 March 1647-48 in Westminster Abbey.[4]
2. *Anne*, eldest daughter, married (contract 5 July 1664) to Robert, Lord Carnegie,[5] afterwards third Earl of Southesk. (*See that title.*)
3. *Elizabeth*, married (contract 30 September 1662, narrated in a postnuptial contract of 24 August 1663)[6] to James, Lord Kilmaurs, son of William, Earl of Glencairn. Lord Kilmaurs died *s. p.* before 30 May 1664, and she was married, secondly, to Sir David Cunningham of Robertland.[7]
4. *Mary*, married, first (contract 25 and 28 August 1663), to Alexander, Lord Almond, afterwards second Earl of Callendar,[8] without issue; secondly (contract 28 June 1690), to Sir James Livingston of Westquarter; thirdly, to James, third Earl of Findlater.
5. *Margaret*, youngest daughter in 1666, married (contract dated March that year) to William Blair of that Ilk.[9]
6. *Diana*, who died young, before 9 November 1653.[10]

[1] Hamilton Report, 58. [2] See vol. iii. 130. [3] Hamilton Report, 58. [4] *Complete Peerage.* [5] Hamilton Report, 59. [6] *Reg. of Decreets* (Dal.), xxiii., 18 June 1667. [7] *House of Hamilton*, 146; Fountainhall's *Historical Notices*, i. 220. [8] Vol. ii. of this work, 363; Hamilton Report, 59, where she is called second daughter. [9] Hamilton Report, 59. [10] *Reg. Mag. Sig.*, 13 November 1653, where all the sisters are named, and Diana is described as deceased.

VIII. ANNE, Duchess of Hamilton in her own right, in terms of the charter of 1643, being the eldest daughter of the first Duke of Hamilton, was born about 1636. On her uncle's death she succeeded him in the titles named in that charter, and also in the estates, as well as to his own titles of honour. This was in terms partly of the charter cited, and partly of Duke William's resignation of 19 March 1649-50 narrated above. She had, on 15 June 1661, a regrant of all the lands and baronies of Hamilton, Kinneil, and others resigned by her uncle, the last possessor, and of the combined titles of her father and uncle, with destination to herself and the heirs-male of her body; whom failing, to Susanna her sister, and the heirs-male of her body; whom failing, to James, Lord Paisley, eldest son of James, Earl of Abercorn; whom failing, to George Hamilton, second son of James, Earl of Abercorn; whom failing, to Margaret Hamilton, Countess of Crawford, and the heirs-male of their bodies respectively.[1] This somewhat curious destination may have been contained in the resignation by Duke William, but the contents of that are only partially known.

She married, on 29 April 1656,[2] William Douglas, eldest son of the second marriage of William, first Marquess of Douglas.[3] On 4 August 1646, when only in his twelfth year, he was created EARL OF SELKIRK, LORD DAER AND SHORTCLEUCH, with destination to him and his heirs-male whatsoever,[4] a title which he afterwards resigned. (*See title* Selkirk.) On 20 September 1660 King Charles II. created him for life DUKE OF HAMILTON, MARQUESS OF CLYDESDALE, EARL OF ARRAN, LANARK AND SELKIRK, LORD AVEN, MAUCHANSHYRE, POMOND, AND DAIR, the title of Innerdale being omitted.[5] After his marriage he devoted himself to recover the Hamilton estates from the burden of debt upon them,[6] and this done, he gave some attention to public affairs. But his influence on politics was very small, as he was chiefly in opposition to Lauderdale's administra-

[1] *Reg. Mag. Sig.*, MS. lib. lx. No. 31. [2] Nicol's *Diary*. [3] Vol. i. of this work, 205. [4] *Reg. Mag. Sig.* [5] *Ibid.*, MS. lib. lx. No. 1. [6] In this no doubt he was assisted by the receipt in 1673 of a sum of money borrowed by King Charles I., and now repaid by Charles II. (*Ibid.*, 146.)

tion. In 1673 he refused altogether to support the Government, setting forth grievances in the law, revenue, and commerce, but this lost him favour at Court. King James VII. courted Hamilton's assistance for his scheme of toleration, but the Duke was one of the first in Scotland to welcome the coming of the Prince of Orange, and he was President of the Convention of Estates which acknowledged William and Mary as King and Queen. He held various prominent offices. He died 18 April 1694, at Holyrood House, and was buried at Hamilton.

The Duchess of Hamilton survived her husband for some years, and died in October 1716.[1]

They had issue :—

1. JAMES, fourth Duke of Hamilton.
2. *William*, who died in France without issue.
3. *Charles*, Earl of Selkirk. (*See that title.*)
4. *John*, Earl of Ruglen. (*See that title.*)
5. *George*, Earl of Orkney. (*See that title.*)
6. *Basil*. (*See* Earl of Selkirk.)
7. *Archibald*, who entered the Navy. He was baptized at Hamilton Palace 17 February 1673. He had the lands of Riccarton and Pardovan, co. Linlithgow, Court Nichola, co. Longford, and Castle Confey, co. Kildare, in Ireland. He died in Pall Mall, London, 5 April 1754, aged eighty-one, and was buried in the Earl of Orkney's vault at Taplow.[2] He married, first, an Irish lady, name unknown, who was buried 11 April 1719, in Westminster Abbey, without issue. He married, secondly, 26 September 1719, Jane, fifth daughter of James, sixth Earl of Abercorn,[3] and by her, who died at Paris on 6 December 1753, had issue, most of whom died without male issue.
8. *Mary*, born 30 April 1657.
9. *Catherine*, baptized at Hamilton 24 October 1662, designed eldest daughter in 1683, married (contract dated 24 April 1683) to John, eldest son and apparent heir of John, first Marquess of Atholl, afterwards himself second Marquess and first Duke, with issue.[4]
10. *Susan*, married, first (contract dated 13 and 17 Nov-

[1] *Hamilton and Campsie Testaments*, ix. 96. [2] *The House of Hamilton*, 151. [3] Vol. i. of this work, 62. [4] *Ibid.*, 480.

ember 1684) to John, Lord Cochrane, afterwards second Earl of Dundonald, who died 16 May 1690;[1] secondly, to Charles, third Marquess of Tweeddale, who died 15 December 1715. She had issue by both husbands, and survived them till 7 February 1736-37.[2]

11. *Margaret*, married to James Maule, fourth Earl of Panmure, and died without issue, at Edinburgh, in 1731.

IX. JAMES, Earl of Arran, fourth Duke of Hamilton, was born 11 April 1658. He was educated at the University of Glasgow, and then went abroad. On 17 January 1679, he was appointed by King Charles II. one of the Gentlemen of the Bedchamber; in 1683 he was named Ambassador to France to congratulate Louis XIV. on the birth of his grandson, Philip, Duke of Anjou, and he remained more than a year in France, where he served two campaigns under the French King. After the death of Charles II. and the accession of James VII., King Louis specially commended the Earl of Arran to the new King, who continued him in his offices, and bestowed other favours. He attached himself firmly to the King's fortunes until the departure of James from England, and he refused to join the party of the Prince of Orange. He was said to be implicated in Sir James Montgomerie of Skelmorlie's plot, and for that and treasonable correspondence was twice confined in the Tower of London, but was released without prosecution.

Four years after his father's death, on 9 July 1698, the Earl's mother, as Duchess of Hamilton in her own right, resigned all her titles into the hands of King William III., who, on 10 August same year, by a charter dated at Loo, conferred upon the Earl the titles and dignities of DUKE OF HAMILTON, MARQUESS OF CLYDESDALE, EARL OF ARRAN, LANARK, AND CAMBRIDGE, LORD AVEN, POLMONT, MACHANSHYRE AND INNERDALE.[3] This grant, which was no doubt due to the services of his father and mother, came, it is said, as a surprise to the government party, as the Duke's disaffection to the King was well known. Later, the Duke formed a party in

[1] Vol. iii. 353. [2] *House of Hamilton*, 151. [3] *Reg. Mag. Sig.*, MS. lib. 75, No. 30.

Parliament in defence of the Darien Scheme, but failed to carry his views. In the same way he headed the opposition to the union of the two kingdoms, and persisted in it to the end, but from some cause, of which contradictory accounts are given, he failed his party at a critical moment, and the Act of Union proceeded.

Notwithstanding his avowed Jacobite proclivities, the Duke disapproved of the attempt made in 1708 on behalf of the Pretender. He was, in the election of June 1708, chosen a Representative Peer of Scotland, and on 11 September 1711 Queen Anne created him a Peer of Great Britain as DUKE OF BRANDON, co. Suffolk, and BARON DUTTON, co. Chester, a creation which gave rise to a serious question as to its legality, a point which was not settled until a much later date. The Duke did not take his seat, and his descendants were deprived of the honour until 1782, when the point was decided in favour of the sixth Duke. On 26 October 1712 the Queen conferred on him a signal honour by investing him with the Order of the Garter in addition to that of the Thistle, which he already held. Unhappily, however, his career was soon afterwards cut short in his fifty-fifth year on 15 November 1712, in a duel between him and Charles, Lord Mohun, both parties being killed. This duel excited much attention at the time, and has often been referred to. The Duke was buried at Hamilton.

He married, first, before 5 January 1687, Anne, eldest daughter of Robert Spencer, second Earl of Sunderland. She had issue two daughters, who died young, and she deceased at Kinneil, in 1690, in her twenty-fourth year. The Duke married, secondly, at Bushey Park, on 17 July 1698 (marriage contract 15 June preceding), Elizabeth, only child and heiress of Digby, fifth Lord Gerard, of Gerard's Bromley, who survived him, and died in London 13 February 1743-44, aged sixty-two. By his second wife the Duke had issue:—

1. JAMES, who succeeded as fifth Duke.
2. *William*, who became M.P. for Lanark in 1734, but died on 11 July that year in Pall Mall, London. He married, 30 April 1733, Frances, only daughter and heiress of Francis Hawes of Purley Hall, in Berkshire, but had no surviving issue by her. She married,

secondly, in May 1735, William, second Viscount Vane, and dying, without issue, 31 March 1788, was buried at Shipbourne, co. Kent.

3. *Anne*, a son, born in St. James's Square, London, 12 October 1709, who received his name from Queen Anne, who was his godmother. He had an ensign's commission in the 2nd Foot Guards, 1731, which he resigned in 1733. He died in France 25 December 1748, and his remains were interred at St. James's, Westminster, 7 July 1749. He is usually said to have had only one wife; but there is some reason to believe that he was twice married, with issue by the first marriage.

He certainly in or before 1731 formed a union with Mary, only daughter and heiress of Mr. Francis Edwards of Welham Grove, co. Leicester, by his wife Anna Margaret Vernatti. Mary Edwards succeeded to her father in 1728, and as he died intestate, letters of administration were granted to her by which she became one of the greatest heiresses of her day. Her estates lay in the counties of Leicester, Northampton, Middlesex, Essex, Hertford, and Kent, and in the city of London. She also owned considerable landed property in Ireland, with shares in the New River Water Company. All this was unencumbered, and it was estimated that her annual income was between £50,000 and £60,000. These facts are set forth in an Act of Parliament specially passed to allow a copy of her will to be exhibited in Ireland and elsewhere, in place of the original, and they show that Miss Edwards was a person of no mean importance, as all this wealth was entirely at her own disposal.

It was this lady who was certainly reputed the wife of Lord Anne Hamilton,[1] but it is not known exactly where their marriage took place. Family tradition has always asserted that the marriage took place in the Fleet, but the exact truth may perhaps never be known, though it is believed that a certificate of the

[1] Family tradition states that Lord Anne's mother encouraged him to pay his addresses to the heiress.

marriage may still be in existence.[1] Apart from this, however, the following are known facts, which add a new romance to those already related of noble families. On 8 July 1731 Mary Edwards, then about twenty-six, granted to Lord Anne Hamilton certain property in Leicestershire, and this deed seems to indicate a date before which their union took place. Two years later Lord Anne did two things which seem explicable only on the ground that he was married to Miss Edwards. On 15 August 1733 the arms and crest of Miss Mary Edwards, daughter and heir as above, were exemplified by the King of Arms to Lord Anne Hamilton 'and the heirs of his body,[2] either single or quartered, together with his paternal and maternal arms.' Following on this he assumed the name of Edwards in addition to his own, as is proved by the fact that on $\frac{11}{22}$ September 1733 the sum of £1200 bank stock was inscribed in the name of the Right Honourable Lord Anne Edwards Hamilton.[3] About this time, also, Lord Anne and Mary Edwards had their portraits taken by the famous painter Hogarth, first separately, and secondly as a group of three, Lord Anne Edwards Hamilton, Mary Edwards, and their son Gerard Anne Edwards, evidently a child of about three years old. Every publicity was thus given to their relationship, and up to March 1734 they lived as man and wife in England, and were recognised as such in Scotland on their visits to Hamilton.

But at or before that date they quarrelled, the subject of dispute being the settlement of her property on her husband, and his constant demands on her purse. There was then no Married Women's

[1] Information by Colonel William Frederick Noel Noel, in whose possession are the family portraits referred to below. [2] Information from Mr. Keith W. Murray, Heralds' College. It may be added that this grant ratified an instrument dated 2 July 1733, under the hand and seal of Miss Edwards, whereby she gave, granted, assigned, and transferred her coat and crest to Lord Anne; but no mention is made of their being husband and wife. [3] Note from Chief Accountant's Office, 13 November 1906. When the account was closed, on 20 June 1734, the sum was transferred to Mary Edwards of Woolham, Leicester. It is said that the stock was bought with her money.

Property Act, and no means of protecting a wife against a spendthrift husband, while in this case there was no marriage-contract to fall back upon. Mary Edwards was a great heiress, but she was determined to safeguard her son's interest as well as her own, and to do this she took a most remarkable course. Her marriage, which is strongly presumed by all the facts narrated above, had been clandestine, and could not be substantiated readily, if at all. She therefore, and this is the extraordinary part of the story, made up her mind to repudiate her marriage altogether. To this end she caused her son to be baptized at the church of St. Mary Abbot's, Kensington, on 28 March 1734, under the name of Gerard Anne Edwards,[1] and she then declared herself to be a single woman. This is the first intimation that she and Lord Anne had quarrelled and separated, and it was also an attempt to create evidence that no marriage had taken place. The final act appears to have taken place six weeks later, on 22 May 1734, when a deed was executed by 'Mary Edwards, spinster, and the Honourable Anne Hamilton *alias* Anne Edwards Hamilton,' reciting that several differences and disputes had lately arisen betwixt them, 'among other things, touching the right of the said Mary Edwards to manors, etc., and touching the right of the said Lord Anne Hamilton in and to £1200 Bank Stock in the Bank of England, transferred by the said Mary Edwards, and now standing in the name of Lord Anne Hamilton, and touching the right of the said Mary Edwards to £500 India Stock transferred to and now standing in the name of Lord Anne Hamilton,' etc. The property was apparently returned to Mary Edwards by this deed, which was signed by Lord Anne as Edwards Hamilton.

Mary Edwards did not marry again. She made her will on 13 April 1742, entailing all her property on her son Gerard Anne Edwards and his heirs-male,

[1] The child must then have been at least three years old, and may have been previously baptized, but of this no evidence is forthcoming.

died 23 August 1743, and was buried at Welham. Her son married (before 1759) Jane, daughter of Baptist Noel, fourth Earl of Gainsborough, and had issue an only son, Gerard Noel Edwards, who succeeded to the estates of his uncle Henry, sixth Earl of Gainsborough, and assumed, by royal licence, 5 May 1798, the name and arms of Noel. He is the direct ancestor of the present Earl of Gainsborough, who, if Lord Anne Hamilton married Mary Edwards, is the nearest heir-male to the dukedom of Hamilton.

Lord Anne Hamilton married at Bath, in October 1742, some months before the death of Mary Edwards, Anna Charlotta Maria, daughter and heiress of Charles Powell of Pen-y-bank, co. Carmarthen. She survived Lord Anne, and died in London 26 June 1791. By her he had two sons:—

(1) *James*, born 18 July 1746, captain in the 2nd Foot Guards, died at Holyrood 22 January 1804, aged fifty-eight. He married, 29 July 1767, Lucy, daughter of Sir Richard Lloyd of Hindlesham, co. Suffolk, and by her, who died in September 1790, had issue:—

i. *James*, who died at Margate, unmarried, on 13 March 1802, aged thirty-two.

ii. *Lucy Charlotte*, married, at Margate, 16 March 1799, to Brigadier-General Robert Anstruther, eldest son of Sir Robert Anstruther of Balcaskie, Bart.

(2) *Charles Powell*, born 26 December 1747; entered the Navy, and distinguished himself. Rose to the rank of admiral in 1808; died 12 March 1825. He married, in May 1777, Lucretia, daughter of George Augustus Prosser, by whom he had issue:—

i. *Hamilton Charles James*, sometime Envoy Extraordinary at Brazil, born 29 July 1779; married, 13 April 1826, Maria Susannah, second daughter of Lieut.-General Sir Frederic Philipse Robinson, G.C.B., Governor of Tobago, and died without issue 15 December 1856.

ii. *Augustus Barrington Price Anne Powell*, lieutenant R.N.; born 22 May 1781; married, 2 April 1806, Maria Catherine, daughter of John Hyde (one of the Judges of the Supreme Court at Calcutta), and died 27 August 1849, having had issue, eight sons and two daughters. The sons were:—

(i) *Augustus John*, born 25 May 1807, died in 1826.

(ii) *Charles Henry*, captain R.N., born 7 October 1808; married, first, 1 December 1854, Anna Apthorp, who died *s.p.* February 1856. He married, secondly, 31 January 1860, Eliza-

beth Ann, only daughter of the Ven. Justly Hill, Archdeacon of Bucks. She died 27 June 1867. He married, thirdly, 21 October 1873, Sarah Julia, daughter of Samuel Spence, and died 30 November 1873. His widow died 29 February 1880. He had issue by his second wife:—

a. Alfred Douglas, of whom later, as thirteenth and present Duke of Hamilton.

b. *Helena Augusta Charlotte Constance Sidney*, married 1 June 1899 to Rev. Robert Acland-Hood, son of the late Sir Alexander Acland-Hood, Bart., and has issue.

c. *Isabel Frances Ulrica Iris*, married, 8 July 1897, Captain Cyril John Ryder, and has issue.

d. *Flora Mary Ida*, married, 29 September 1898, to Major Robert Montagu Poore, 7th Hussars.

(iii) *Francis Seymour*, colonel R.A., born 19 January 1811; married, 6 September 1834, Emma Catherine Frances, second daughter of Thomas Darby Coventry of Greenlands, Bucks. She died 7 January 1868. The Colonel died 1 June 1874, leaving issue, with seven daughters, the following sons:—

a. *Archibald Barrington Seymour*, born 3 November 1840; accidentally drowned 18 January 1876, *s.p.*

b. *Algernon Percy*, born 22 June 1844; married, 4 November 1874, Idonia, daughter of Captain Douglas Ryves Douglas Hamilton (*see below*), and died 31 May 1891, leaving issue, with three daughters, a son:—

(*a*) *Percy Seymour*, born 2 October 1875; married, 20 July 1901, Edith Hamilton, eldest daughter of Sir Frederick Wills, Bart.

c. *Aubrey Reginald*, late 57th Regiment, born 21 April 1851, married, 24 July 1878, Lucy, youngest daughter of the Hon. Robert FitzGerald of Sydney:—

(*a*) *Kenneth Aubrey Fitzgerald Seymour*, born 22 April 1879.

(*b*) *Lesley Reginald Coventry*, born 30 June 1881.

(*c*) *Herbert Eustace Seymour*, born 2 June 1886.

(*d*) *Claud Archibald Aubrey*, born 26 May 1889.

(iv) *Douglas Ryves*, born 5 January 1814; married, in February 1843, Frances, daughter of Hugh Ryves Graves, of Fort William, Limerick, and died in 1894, survived by his wife, who died in 1897, leaving issue:—

a. Alexander.
b. Patrick, died *s.p.*
c. Frederick.
d. Idonia, married to her cousin, Algernon Percy Douglas Hamilton (*see above*).
e. Bertha, married to George Dawson.

(v) *Frederic*, Minister Resident and Consul-General at Ecuador, born 12 May 1815; married, 25 February 1843, Marina, eldest daughter of James Norton, and died 15 May 1887, leaving by his wife, who died 20 September 1871, with two daughters, three sons:—

a. Frederick Robert Vere, born 7 December 1843; married, 1873, Josephine Baumann.
b. Augustus Maitland Ronald, late lieutenant R.N.; born 2 September 1847; married, in 1880, Therese Maude (who divorced him in 1895), daughter of Captain W. B. C. Wentworth, and has issue.
c. Archibald Douglas Schomberg, late captain 4th Battalion Royal Welsh Fusiliers, born 1 October 1861.

(vi) *Adolphus* (*Rev.*), M.A., born 5 July 1816; married, 22 May 1847, Henrietta Charlotte (who died 6 January 1901), youngest daughter of Admiral Sir B. H. Carew, G.C.B., of Beddington Park, Surrey, and died 12 September 1893, having had issue.

(vii) *Alfred*, of Gidea Hall, Essex, J.P. and D.L., M.A., Barrister-at-law, born 21 April 1818; died 25 March 1895; married, first, 17 July 1845, Adelaide, second daughter and co-heir of Alexander Black of Gidea Hall. She died 17 April 1870; and he married, secondly, 27 October 1874, Harriette Amy Blackburne, youngest daughter of W. H. Peters of Harefield, Devon, J.P. He had issue, with others, the following:—

a. Alfred Hamilton Douglas, Barrister-at-law, born 27 January 1856.
b. William Arthur (*Rev.*), curate of Waldren, West Hawkhurst, Sussex, B.A. Camb., born 6 September 1864.
c. Nina Susannah, married, 30 July 1878, to William Cospatrick Dunbar, C.B., now Sir William, ninth Baronet of Mochrum.

(viii) *Octavius*, major-general, retired; born 15 February 1821, died 14 August 1904; married, 29 June 1852, Katharine Augusta Westenra, daughter of Captain Donald Macleod, R.N., C.B. She died 30 November 1902. Issue, with two daughters, five sons:—

a. *Hamilton Anne* (*Rev.*), M.A. Camb., now Archdeacon of Kimberley, born 28 May 1853; married, 26 October 1875, Lillie, daughter of J. Bowles, and has issue, with two daughters:—

(*a*) *Basil Sholto Anne*, born 11 August 1876.

(*b*) *James Angus*, born 13 August 1889.

b. *Augustus Maynard*, late captain 4th Battalion East Surrey Regiment, born 29 November 1854.

c. *Charles Reginald Sydney*, captain (retired) Gordon Highlanders, born 5 October 1856; married, 10 September 1890, Mary Isabel Hammond, daughter of Captain George Alexander Whitelaw of Ben Eaden, and has issue.

d. *Angus Falconar*, captain the Queen's Own Cameron Highlanders, born 20 August 1863; married, 1 August 1894, Anna Watson, youngest daughter of Captain Alexander Watson Mackenzie of Ord, co. Ross, and has issue.

e. *Basil Sholto*, born 13 November 1866; died an infant.

The daughters of the fourth Duke were:—

4. *Elizabeth*, died at Hamilton 2 April 1702.
5. *Catharine*, died 22 December 1712.
6. *Charlotte*, married, 1 May 1736, to Charles Edwin of Dunraven and Llanvihangel, co. Glamorgan, who died 29 June 1756. She died at London 5 February 1777, aged seventy-three.
7. *Susan*, married, in August 1736, to Anthony Tracy Keck, of Great Tew, co. Oxford, grandson of John, third Viscount Tracy. She died 3 June 1755, leaving daughters.

The fourth Duke of Hamilton had a natural son *Charles*, born at Cleveland House 30 March 1691, by Lady Barbara FitzRoy, third daughter of King Charles II. and the Duchess of Cleveland.[1] He was the author of *Transactions*

[1] *House of Hamilton*, 170 note.

during the Reign of Queen Anne, etc., published in 1790 after his death, by his son. He died at Paris 17 August 1754, leaving an only child *Charles*, who died 9 April 1800, also leaving an only child *Charles*, who died unmarried.

James Abercrombie, a captain in the Coldstream Guards, who was made a Baronet 21 May 1709, is described as a natural son of the Duke of Hamilton.[1] He died *s. p. m.* 14 November 1724.

X. JAMES, fifth Duke of Hamilton, and second Duke of Brandon, succeeded his father while still a boy, as he was born 5 January 1702-3. He, like his father, held Jacobite opinions, and is said to have been made a Knight of the Thistle by the titular King James VII. in 1722 and a K.G. in 1723. But he appears to have changed his politics, as he was made a Knight of the Thistle on 31 October 1726, and a Lord of the Bedchamber to King George II. in 1727. But he resigned that office in 1733, as he was opposed to Sir Robert Walpole. He died at Bath 9 March 1743, aged forty. He married, first, on 14 February 1723, Anne, eldest daughter of John Cochrane, fourth Earl of Dundonald. She died 14 August 1724, and the Duke married, secondly, in 1727, Elizabeth, fourth daughter of Thomas Strangeways of Melbury Sampford, co. Dorset, who died without issue 3 November 1729. He married, thirdly, 23 July 1737, Anne, daughter and co-heir of Edward Spenser of Rendlesham, co. Suffolk, who survived him and married, secondly, Richard Savage Nassau, son of Frederick, third Earl of Rochford, with issue. She died 9 March 1771.

The Duke had issue.

1. JAMES, only child by first marriage, sixth Duke of Hamilton.
2. ARCHIBALD, eldest son of third marriage, who became ninth Duke.
3. *Spencer*, born in June 1742; entered the Army as ensign in 1759, became colonel in 1782, and left the Army through bad health in 1789. Died unmarried, at Calais, 20 March 1791.
4. *Anne*, born November 1738, married, 11 November

[1] Musgrave's *Obituary*.

1761, to Arthur, Earl, afterwards Marquess, of Donegal, and died in 1780, leaving issue.

XI. JAMES, sixth Duke of Hamilton, was born 10 July 1724, and succeeded his father in 1743. He received the Order of the Thistle 14 March 1755. But his career was brief, as a few years later he caught cold while hunting, and died after a short illness at Great Tew, co. Oxford, on 18 January 1758, and was buried at Hamilton.

The Duke married, 14 February 1752, the famous beauty, Elizabeth, second daughter of John Gunning of Castle Coote, co. Roscommon, who survived him, and married, secondly, John, fifth Duke of Argyll. They had issue:—

1. JAMES GEORGE, seventh Duke of Hamilton.
2. DOUGLAS, eighth Duke of Hamilton.
3. *Elizabeth*, born 26 January 1753; married, 23 June 1774, to Edward, twelfth Earl of Derby, by whom she had issue, and died 14 March 1797.

XII. JAMES GEORGE, seventh Duke of Hamilton, was born at Holyrood 18 February 1755, and succeeded his father in 1758. In 1761, by the death of Archibald, Duke of Douglas, the young Duke became the male representative and chief of the House of Douglas, Earls of Angus, and upon him devolved the titles of MARQUESS OF DOUGLAS, EARL OF ANGUS, AND LORD OF ABERNETHY AND JEDBURGH FOREST. His guardians also asserted his right to the Douglas and Angus estates, a claim which led to the famous 'Douglas Cause,' as it was termed, but as is well known, the House of Lords, on 17 February 1769, decided in favour of Mr. Douglas,[1] son of Lady Jane Douglas or Stewart, sister of the Duke of Douglas. The young Duke of Hamilton died soon after the decision, on 7 July 1769, at Hamilton Palace, and was buried in the family resting-place there. He was succeeded by his brother,

DOUGLAS, eighth Duke of Hamilton, who was born 24 July 1756. His education was completed by foreign travel, when he was accompanied by Dr. John Moore, M.D., well known in literature as the author of *Zeluco* and of various

[1] Vol. i. of this work, 209, 211, 212.

works of travel, and more famous as the father of Sir John Moore, the hero of Corunna. The Duke came of age in 1777, and raised a regiment of foot, the 82nd, which distinguished itself in the American War. In 1782 he petitioned King George III. that he might be summoned to Parliament as Duke of Brandon. The request was referred to the House of Lords, when the judges, on 6 June 1782, unanimously agreed that the Duke was entitled to such summons, and that the King was not restrained by the Act of Union from creating Scottish Peers Peers of Great Britain. A summons was, therefore, issued on 11 June, and the Duke took his seat in the House of Lords. He was invested with the Order of the Thistle in 1786. He died at Hamilton Palace 2 August 1799, without issue, and was succeeded by his uncle Archibald, the second son of the fifth Duke. The barony of Hamilton of Hameldon in Leicestershire, which had been created in 1766, in favour of his mother,[1] and which had devolved on him at her death in 1790, passed to his uterine brother the Marquess of Lorne.

The Duke married, 5 April 1778, Elizabeth Anne, fourth daughter of Peter Burrell of Beckenham in Kent, but without issue. She divorced him in 1794, and married, secondly, on 19 August 1800, Henry, Marquess of Exeter, dying 17 January 1837.

XIV. ARCHIBALD, ninth Duke of Hamilton, uncle of the preceding, who succeeded, was born 15 July 1740. He inherited large estates in England, both from his mother and his grandmother. He was chosen, in 1768, M.P. for the county of Lancaster. He succeeded in 1799, and died at Ashton Hall, Lancashire, 16 February 1819, being buried in St. Mary's church, Lancaster.

He married, 25 May 1765, Harriet, fifth daughter of Alexander, sixth Earl of Galloway, by his second marriage. She died before her husband's accession to the dukedom, in November 1788, and was buried on 3 December in St. Mary's church, Lancaster. They had issue:—

1. ALEXANDER, tenth Duke.
2. *Archibald*, born 16 March 1769, was chosen M.P. for Lanark in 1802, and represented that county for

[1] Vol. i. of this work, 387.

many years. He is said to have distinguished himself as an industrious and independent representative, and as an active and eloquent speaker. He strongly opposed the Tory administrations of Pitt and Addington, and in 1804 published a pamphlet setting forth his views. He also exerted himself greatly in the cause of burgh reforms. He died unmarried 28 August 1827.

3. *Anne*, born 16 March 1766; died 10 October 1846.
4. *Charlotte*, born 6 April 1772; married, 24 June 1800, to Edward Adolphus, Duke of Somerset, and had issue. She died 10 June 1827.
5. *Susan*, born 3 August 1774; married, 4 August 1803, to her cousin George, fifth Earl of Dunmore, and had issue. She died 24 May 1846.

XV. ALEXANDER, tenth Duke of Hamilton, was born 3 October 1767. He was fond of the fine arts, and passed several years on the Continent occupied in their study. He was, in 1803, elected M.P. for the town of Lancaster, but in 1806 was called by writ to the House of Lords under the title of Baron Dutton. He was named Ambassador to Russia, but soon after, on a change of ministry, resigned office. He, however, travelled through part of Russia and Poland, and returned home in 1808. He died 18 August 1852.

The Duke married, at London, 26 April 1810, his cousin, Susan Euphemia, second daughter and co-heir of William Beckford of Fonthill-Gifford in Wiltshire, by Margaret Gordon, daughter of Charles, fourth Earl of Aboyne, and by her, who survived him, dying 27 May 1859, had issue a son and daughter:—

1. WILLIAM ALEXANDER ANTHONY ARCHIBALD, who succeeded.
2. *Susan*, born 9 June 1814; married, first, on 27 November 1832, to Henry, Earl of Lincoln, afterwards fifth Duke of Newcastle, and had issue, but was divorced in 1850; secondly, 2 January 1860, to M. Opdebeck of Brussels. Died 28 November 1889.

XVI. WILLIAM ALEXANDER ANTHONY ARCHIBALD, eleventh Duke of Hamilton, born 18 February 1811, died in Paris 15

July 1863. He married, 23 February 1843, the Princess Mary of Baden, youngest daughter of Charles Louis Frederick, reigning Grand Duke of Baden, and the cousin of the late Emperor Napoleon III., and by her (who died 17 October 1888) had issue :—

1. William Alexander Louis Stephen, who succeeded.
2. *Charles George Archibald*, late lieutenant 11th Hussars, born 18 May 1847, died *s. p.* May 1886.
3. *Mary Victoria*, married, first, 21 September 1869, to H.S.H. Prince Albert of Monaco, Duke of Valentinois (marriage annulled 1880), and has issue; and second, 2 June 1880, Count Tassilo Festetics, a Hungarian noble in the Austrian Imperial Guard.

XVII. William Alexander Louis Stephen, twelfth Duke of Hamilton, colonel of the Royal Lanarkshire Militia Yeomanry Cavalry, Knight Marischal of Scotland, born 12 March 1845; maintained and confirmed by the Emperor Napoleon III. in the title of Duc de Chatellherault in France, by decree of 20 April 1864; was well known in sporting and racing circles; died 16 May 1895, when he was succeeded by his kinsman Alfred Douglas, the present Duke, son of Captain Charles Henry Douglas Hamilton, R.N. (*See ante*, p. 389.) He married, 10 December 1873, Mary Montagu, eldest daughter of the seventh Duke of Manchester, K.P., and by her (who married, secondly, 20 July 1897, Robert Carnaby Forster) had issue :—

1. *Mary Louise*, of Brodick Castle, Isle of Arran, and Euston Park, Wickham Market, born 1 November 1884. Married, 14 June 1906, to James, Marquess of Graham, eldest son of the Duke of Montrose. (*See that title.*)

XVIII. Alfred Douglas, thirteenth Duke of Hamilton, Premier Peer of Scotland, heir-male of the house of Douglas, Hereditary Keeper of Holyrood House ; D.L. co. Lanark, honorary colonel 2nd Volunteer Battalion the Cameronians (Scottish Rifles), late lieutenant R.N., claims the dukedom of Chatelherault; born 6 March 1862, succeeded 1895; married, 4 December 1901, Nina Mary Benita, third daughter of Major Robert Poore, and has issue :—

1. Douglas, Marquess of Douglas and Clydesdale, born 3 February 1903.

2. *Jean*, born 11 June 1904.

CREATIONS.—3 July 1445, Lord Hamilton; 11 August 1503, Earl of Arran; 17 April 1559, Marquess of Hamilton, Earl of Arran, and Lord Evan; 12 April 1643, Duke of Hamilton, Marquess of Clydesdale, Earl of Arran and Cambridge, Lord Avon and Innerdale; 31 March 1639, Earl of Lanark, Lord Machanschyre and Polmont, all in the Peerage of Scotland. 16 June 1619, Earl of Cambridge and Lord Innerdale in the Peerage of England. 11 September 1711, Duke of Brandon and Baron Dutton in the Peerage of the United Kingdom. 8 February 1548, Duke of Chatelherault in the Peerage of France.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th grand quarters counterquartered, 1st and 4th, gules, three cinquefoils ermine; 2nd and 3rd, argent, a lymphad sable sails furled proper flagged gules; 2nd and 3rd grand quarters, argent, a man's heart gules ensigned with an imperial crown proper, on a chief azure three stars of the first.

CRESTS.—1st, on a ducal coronet an oak-tree fructed and penetrated transversely in the main stem by a frame saw proper, the frame or, for *Hamilton*; 2nd, on a chapeau gules turned up ermine a salamander in flames proper, for *Douglas*.

SUPPORTERS.—Two antelopes argent, armed, gorged with a ducal coronet, chained and unguled or.

MOTTOES.—*Through*: *Jamais arrière*.

[J. A.]

LORD HERRIES OF TERREGLES

CHALMERS[1] suggests that the Scottish house of Herries was a branch of a family called Heriz, who held manors in Derbyshire and Nottinghamshire from the eleventh to the fourteenth century, and bore for arms, azure three hedgehogs or.[2] But a MS. family history at Terregles[3] says that the founder of the Terregles family was 'Sir John Herreis, brother to the Earle of Vandosine in France,' who accompanied David II. on his return to Scotland from Chateau-Gaillard in 1341, and was 'gifted' by that King with the lands of Terregles. 'His surname happened, by reason of 3 hurcheons which he carried in his arms, called in Latine Herimaceus, and from hence Herreis.' This is probably the source of the statements of Crawfurd[4] and Nisbet[5] that the family of Herries was descended from the Counts of Vendôme, who, according to them, bore hedgehogs or porcupines in their arms. The name, however, was known in Scotland long before 1341.

Anselme,[6] who says their arms were 'D'argent au chef

[1] *Caledonia.* [2] Blore, *Manor of S. Winfield*; Thoroton's *Notts*, Throsby's ed.; Surtees, *Durham*, iii. 142, 299; *Arch. Journ.*, vi. 5-13. [3] Herries Peerage Case, 300. Begun before 1677, for John, Earl of Nithsdale, who died in that year, is mentioned as living: it will be henceforth cited as the 'Terregles MS.' In a later pedigree at Terregles, *ibid.*, 264, 'Vandosine' becomes Vendôme. [4] *Peerage*, 1716. [5] *Heraldry*, 1722. [6] *Hist. de la Maison Royale*, etc., 3rd ed. viii. 721-731.

Herries

de gueules au lion d'azur brochant sur le tout,' traces the line of the Vendôme counts from the tenth century onwards without any mention of a cadet settling in Scotland. The county was carried by an heiress, about 1374, into the family of Bourbon, and when the head of that house mounted the French throne as Henry IV. it was extinguished in the higher dignity. Possibly King David II., during his exile at Château-Gaillard, may have induced some French friend of the house of Vendôme to try his fortune in Scotland by bestowing on him in marriage an heiress of the Herries family, and it is possible that this adventurer in his new country may have borne the more familiar name and arms of his wife. This would account for the Terregles tradition of descent from a family that neither bore the name of Herries nor hedgehogs in its arms.

Wood, in his edition of Douglas's *Peerage*, gives a list of early settlers in Scotland of this name who appear as witnesses to royal and other grants to monasteries, and no doubt they, or some of them, were ancestors in the male or female line of the Terregles family. In the twelfth century there were William, Thomas, Henry, Ivon, and Roger de Heriz. In the first half of the thirteenth century there was a Nigel de Heriz, forester to Alexander II., whose lands were near Melrose.[1] William de Heriz witnessed several charters of or concerning the Bruces, Lords of Annandale, during the latter part of the twelfth and beginning of the thirteenth century, and Sir Robert de Heriz witnessed similar charters in the first half of the thirteenth century, in one of which he is called Seneschal of Annandale.[2] Gilbert de Heriz witnessed a gift to the monks of Newbottle in 1296.[3] About 1290 Sir William de Heriz granted to William de Carlyle an acre of land with a salt-pit held of the Lord of Annandale.[4] William de Heriz, of the county of Dumfries, probably the same person, swore fealty to Edward I. at Berwick-on-Tweed, 28 August 1296. His seal shows a hedgehog with a spray of foliage above and a small animal below.[5] Ralph de Heriz was hanged at Newcastle in 1306 as a traitor, for

[1] Fraser, *Scotts of Buccleuch*, ii. 412. [2] Bain, *Cal. of Docs.*, i. 107, 123, 124, 308, 309. [3] Wood. [4] Fraser, *Book of Carlaverock*, ii. 526. [5] *Cal. of Docs.*, ii. 185, 531; see too ii. 283; iii. 64, and Stevenson's *Docs.*, ii. 432.

fighting against the English at Methven in Perthshire, and Richard de Heriz of Westirkir was a Scottish prisoner in the castle of High Peak in 1306.[1] Richard de Heriz had a charter from Robert I. of the lands of Elstaneford, Haddingtonshire; Robert de Heris, in a charter of Robert I. (1323), is called Dominus de Nithsdale.[2] In February 1358-59 Robert Heryz, Knight, of Scotland, had a safe-conduct to go into England.[3]

Sir John Herries of Terregles. King David II. granted, 15 March 1357-58, the barony of Terregles in Nithsdale to Sir John Heryz, Margaret his wife, and their heirs. Herries had charters of the same barony, 17 October 1364, and of the lands of Kirkgunzeon in Galloway, 12 June 1367; and on 6 June 1366 the lands of Terregles were erected into a regality for him and the lawful heirs-male of his body.[4] Sir John Herys, no doubt the same person, was a witness to the ratification of the treaty for the ransom of David II. in October 1357,[5] attended a Parliament at Scone 26 October 1359,[6] and had English safe-conducts in 1365 when returning from Flanders to Scotland; in 1372 to go into Annandale (then in the hands of the English) with his son John, his tenants, and cattle; and in February 1381-82 to go on pilgrimage to Canterbury with eight horsemen in his train.[7]

Sir John Herries of Terregles, who, according to the Terregles MS. history, was son of Sir John, who died 27 February 1386, by his wife, the Lord Boyd's daughter, grandson of another Sir John, and great-grandson of the Sir John who obtained Terregles from David II. This statement, however, is inconsistent with chronology, and it seems probable he was himself the son of the first Lord of Terregles.

John 'Heryce, Chivaler, Sire de Trevereglys,' was three times in England between September 1405 and May 1407 as a hostage for the Earl of Douglas (taken prisoner at the battle of Shrewsbury).[8] He died 27 March 1420,[9] having married Euphemia, daughter and co-heiress (with her sister Margaret, Lady Colville) of Sir James Lindsay of Crawford,

[1] *Cal. of Docs.*, ii. 481, 485. [2] Wood. [3] *Rot. Scot.*, i. 835. For others of the name, see *Derbyshire Charters* by I. H. Jeayes, 1906. [4] *Book of Carlaverock*, ii. 410-415. [5] *Cal. of Docs.*, iii. 305. [6] *Acta Parl. Scot.*, i. 525. [7] *Rot. Scot.*, i. 891, 951; ii. 41. [8] *Cal. of Docs.*, iv. 145, 149, 151. [9] Terregles MS.

son of Sir James Lindsay, by Egidia, half-sister of Robert II.[1] By her, who was living in 1405,[2] he had probably five sons:—

1. Sir Herbert.
2. *James*, who witnessed a Douglas charter in 1432 as brother-german of Sir Herbert Heris of Trareglis.[3]
3. *Robert*, who had a charter in 1444 of the lands of Myrtoun, Wigtownshire, from his nephew John.
4. *William*.[4]
5. *Sir John*, who is said to have been tried and hanged by Douglas (contrary to the King's commands) in 1451 for a foray against some of Douglas's followers, who had first raided his lands. The tale of 'Sir John' first appears in the untrustworthy pages of Boece,[5] while Godscroft calls him William,[6] and the incident may relate to the above-named William.

Sir Herbert Herries of Terregles, successor, and probably son, of Sir John; that he and his successors were descendants of Euphemia Lindsay is nearly certain, for among the Scottish arms in the French 'Armorial de Berry' (compiled about 1450) is a shield, Herries quartering Lindsay for those of 'Nesegles,'[7] and on 31 January 1505-6 Andrew, Lord Herries, and Sir William Colville of Ochiltrie were lords portioners of the barony of Bernwell, Ayrshire,[8] probably because of their descent from the two Lindsay co-heiresses.

Sir Herbert had a safe-conduct, 3 February 1423-24, to meet James I. at Durham on his return from England,[9] and he was knighted at the coronation of that King, 21 May 1424.[10] He was one of the jury that in May 1425 condemned Murdach, Duke of Albany, and his sons in the Parliament at Stirling.[11] Herbert 'Heyres,' baron of Carlaverock of Scotland, had a safe-conduct, 14 March 1438-39, to pass through England on his way to the Holy

[1] *Lives of the Lindsays*, 2nd ed., i. 97, 410. [2] *Colls. on shires of Aberdeen*, etc., Spalding Club, i. 502-503. [3] Fraser, *Douglas Book*, iii. 418. [4] Terregles MS., where all these younger sons are named as Sir Herbert's brothers. [5] Sir H. Maxwell, *Hist. of Galloway*, 119. [6] *House of Douglas*, 1st ed., 186. [7] Stodart, *Scottish Arms*, ii. 45. [8] *Reg. Mag. Sig.* [9] *Rot. Scot.*, ii. 245. [10] *Extracta e Cron. Scot.*, Abbotsford Club, 227, where he is wrongly called Henry. [11] *Fordun*, Hearne's ed., iv. 1268-69, 1271.

Land.[1] The Terregles MS. says that Sir Herbert died 4 July 1440, having married Margaret, 'daughter to the Earle Douglas, by whom he had 4 sones.' There is no other evidence for this marriage, but there had perhaps been an earlier alliance between these families, for John Herys of Terregles and Robert Herys, knights, the Earl's cousins, witnessed an undated charter of the Earl of Douglas, ratified by his widow Margaret in 1425.[2] Sir Herbert had probably the following children:—

1. JOHN, his successor.
2. *Herbert*, curator of John in 1459.
3. *William*, Rector of Kirkpatrick in 1453.[3] Wood calls him son of Sir Herbert. In 1456 William Heryss, perhaps the same person, was Rector of Glasgow University.[4]
4. *Robert*. Wood calls him, probably correctly, son of Sir Herbert. He had charters of Kirkpatrick Irongray 15 October 1463, and of Half-Mabie, etc., Galloway, 8 July 1466.[5] With younger sons, *Richard*, *David*, and *John*,[6] whose descendants can be traced for some generations in the *Exchequer Rolls*; he had an elder son:—

   (1) *George*, who, with his wife Mariot Moray, had a charter, of Mabie, etc., 15 October 1473, on his father's resignation; he had a charter of the lands of Terraughtie, Nithsdale, 18 July 1477 (confirmed 29 October); Lord Bothwell had, 20 October 1506, a grant of Mabie, Terraughtie, etc., then in the King's hands as payment of fines imposed on the late Robert Herries and his father George in 1501; these lands were regranted, 11 February 1530-31, to Robert Herries, descendant of George, except Terraughtie, which Lord Bothwell sold to Lord Herries in 1539 (by charter confirmed 25 July).[7] There were Herrieses of Mabie till the eighteenth century.

5. —— a daughter, wife of Herbert, first Lord Maxwell.[8]

JOHN HERRIES of Terregles, successor, and probably son, of Sir Herbert. In 1444 he gave the lands of Myrton, Wigtownshire, to his uncle, Robert Herries.[9] In 1459 he

[1] *Rot. Scot.*, ii. 313. [2] Fraser, *Douglas Book*, iii. 415, and for Sir Robert see iii. 409 and *Reg. Mag. Sig.*, 8 March 1426-27. [3] *Rot. Scot.*, ii. 362. [4] *Mun. Univ. Glasg.*, Maitland Club, ii. 64, 66. [5] Confirmed 18 July 1468, *Reg. Mag. Sig.* [6] *Exch. Rolls*, x. 657-658, 702-703. [7] *Reg. Mag. Sig.* for all these charters. [8] Wood, Terregles MS. [9] *Book of Carlaverock*, ii. 430.

was 'incompos mentis,' and the King (24 January 1458-59) appointed his brother Herbert to be his curator till the lawful age (twenty-five years) of his son and heir-apparent David, for whom, in the meantime, provision was to be made out of the estates.[1] He was living in 1478, but died before 17 May 1483, as will be seen in the account of his son. The Terregles MS., which calls him Herbert, says wrongly that he married Margaret, 'daughter to the L. Sanquhar,' and that his son David married 'Agidea, daughter to the Lord Somervel.' Possibly it was the father who married a Somerville.

SIR DAVID HERRIES of Terregles was under the age of twenty-five in 1459. Knighted before 21 August 1463,[2] he was his father's curator in 1471.[3] 'Trariglis' was sitting in Parliament among the Barons 18 February 1471-72,[4] not as a Lord, for as 'David Heris de Trareglis, miles,' he was dismissed, 24 April 1478, from the post of curator to his father as incompetent, and his son and heir-apparent Herbert and John, Lord Carlyle, were appointed in his place.[5] In 1483 he was himself under curators, Herbert and George Herries (probably of Terraughtie; refer to Robert, fourth son of Sir Herbert) being given on 17 May the office of curatory of David, son of the late John 'Heris of Trareglis.'[6] In May 1486 he resigned Terregles, etc., in favour of his son Herbert.[7] He was living 26 August 1495, when the Council ordered provision to be made for David, the 'old lord terragilis,' and for Andrew Herries and his three brothers and a sister, out of lands held by Robert, Lord Crichton of Sanquhar, and Sir Stephen Lockhart of Cleghorn, as curators of 'Harbert lord terragilis and andro heris his son.'[8]

Sir David had a grant, 20 July 1459, to himself and Margaret, daughter of Sir Robert Crichton of Sanquhar, and the lawful heirs betwixt them, of the lands of Bernwell, on his father's resignation.[9]

I. HERBERT (Herries), first Lord Herries of Terregles, cannot have been born before 1460, if 1459 was the year of his father's marriage. In a charter, 1 June 1486, of Terregles,

[1] *Reg. Mag. Sig.* [2] *Ibid.*, 17 October 1463. [3] *Acta Auditorum*, 19. [4] *Acta Parl. Scot.*, ii. 102. [5] *Reg. Mag. Sig.* [6] *Acta Dom. Conc.*, 84. [7] Herries Peerage Case, No. 1. [8] *Acta Dom. Conc.*, 385. [9] *Reg. Mag. Sig.*

in favour of his son Andrew on his own resignation, he is given no title,[1] but DOMINUS DE TERREGLIS was sitting in Parliament as a Lord, 4 February 1489-90, and DOMINUS HERIS DE TERREGLIS was again present in Parliament 8 February 1491-92.[2] As the Christian name of this Lord is not given in the Parliamentary records, and as Sir David was living in 1492, it may be stated that in some law proceedings in December 1491 'Andro heris apperand Are' to Herbert, *Lord* Herries, and *Sir* David Herries, his grandsire, is mentioned.[3] In December 1494 Lord Herries was under curators,[4] whose names have already appeared in the account of Sir David. He was living on 14 January 1501-2, when his son, styled Andrew, Lord Herries, had a gift of his curatory.[5] The date of Herbert's death has therefore not been exactly ascertained.

He married, first, Mariot Carlyle, daughter, according to the Terregles MS., of Lord Carlyle, who was probably made joint curator with Herbert Herries of the latter's grandfather in 1478, partly to look after his daughter's interests and partly on account of Herbert's youth. She is mentioned as wife of Lord Herries, and as living, in a charter of 1 June 1486,[6] but on 4 June 1493 Herries had a charter of Bernwell, etc., to himself and Mariot Cunyngham, his wife.[7] By his first wife Herries had the following children:—

1. ANDREW, second Lord.
2. *Mungo* or *Kentigern*, named along with his brothers in the marriage-contract of Andrew with Janet Douglas in 1495, and also in an instrument of sasine 5 May 1510.[8] He is said[9] to have fallen along with his brother John at Flodden.
3. *John*.
4. *Roger*, the youngest son, was tutor to his nephew, the third Lord Herries, in his minority, and had a Crown charter of the lands of Maidenpaup, in Galloway, 5 June 1520.[10] His son

Archibald had sasine of Maidenpaup 1 December 1536, and of Redcastle 14 March 1561-62, as heir-male of William, Lord

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[1] *Reg. Mag. Sig.* [2] *Acta Parl. Scot.* [3] *Acta Dom. Conc.*, 206. [4] *Ibid.*, 379; *Reg. Mag. Sig.*, 20 November 1495. [5] Protocol Book of John Young, Edinburgh. [6] *Reg. Mag. Sig.* [7] *Ibid.* [8] Herries Peerage Case, No. 66. [9] Terregles MS. [10] Herries Peerage Case, No. 70.

Herries, 'filii patrui sui.' This property he, as 'heres masculus' of the third Lord, sold in the same year to Sir J. Maxwell, and Agnes, his wife. In 1567 he sold Maidenpaup to his eldest son George, and Janet Gordon, his wife. Their grandson William (son of John Herries) sold that estate in 1629.[1]

5. —— a daughter, for whom the Council ordered provision to be made in 1495.[2] She is said to have married Sir Thomas (properly John) Macfarlane of that Ilk.[3]

II. ANDREW (Herries), second Lord Herries of Terregles, was born about 1477. He held the title before his father's death; sat in Parliament 3 February 1505-6,[4] and in Council in September 1512.[5] In 1507 and 1508 he was put to the horn,[6] but was in favour again before 18 April 1510, when he had a charter in favour of himself and his heirs, uniting his various lands and baronies into the single barony of Herries. Terregles and Kirkgunzion were to be held in regality.[7] He was killed at the battle of Flodden 9 September 1513.[8]

In his minority, probably because of his father's mental state, there was a dispute about his marriage between Lord Carlyle and George Herries of Terraughtie (refer to p. 402). The latter in 1491 was accused of enticing Andrew to his own house, and was ordered by the Council to bring the 'child' unmarried to Edinburgh, where, on 30 December he was delivered to his father and Lord Crichton, who undertook that he should not be married for a year to come. Andrew's affairs were again before the Council in 1494, the King's advocate claiming his marriage for the Crown, while a gift, dated 24 May 1486, of his marriage from his father in favour of Lord Carlyle was produced by the latter, who on the same day, July 18, began an action for the spoliation from him of this marriage valued at 1800 merks, against George Herries of Terraughtie.[9] The latter had probably married Andrew to the Beatrix Herries to be presently mentioned, no doubt a daughter or near relation of his own. But Carlyle triumphed, for Andrew agreed, 25 November 1495, with the

[1] Herries Peerage Case, Nos. 21, 71-76; *P. C. Reg.*, iv. 569, v. 594, 679. [2] *Acta Dom. Conc.*, 385. [3] Douglas, *Baronage*, 95; *Scot. Antiquary*, xi. 9. [4] *Acta Parl. Scot.* [5] Pitcairn's *Trials*, i. 78*. [6] *Ibid.*, i. 55*; *Reg. Mag. Sig.*, 19 September 1507, 7 March 1507-8. [7] *Ibid.* [8] Herries Peerage Case, No. 10. [9] *Acta Dom. Conc.*, 205, 206, 209, 226 364.

Chancellor, Archibald, fifth Earl of Angus, to resign Terregles, etc., which Angus was then to cause the King to regrant to Andrew and his own daughter Janet Douglas and the heirs betwixt them, which failing, to Andrew and his heirs-male, which failing to his brothers Mungo, John, and Roger, in succession, and their heirs-male: Andrew was to get a divorce in all possible haste from Beatrix Herries, his wife, then in goodly haste he was to marry Janet Douglas. A clause in the contract binding Angus to help Lord Carlyle in all his lawful actions reveals the real author of this arrangement.[1] Janet Douglas had, 20 December 1495, a grant of Terregles to herself and her heirs without the promised mention of Andrew and his brothers.[2] When of age Andrew appeared before King and Council, 3 December 1498, and told how, when not of perfect age, he had made this agreement of 1495, and how Angus had 'alluterlie failzeit' in the fulfilment thereof, and how in defraud he had had the lands granted to his daughter in heritage; he then declared that he annulled the resignation of Terregles made by him in his minority.[3] He did not say whether he had obtained his divorce and duly married Janet Douglas, who is not called his wife in a regrant to him of Terregles on her resignation, 25 February 1499-1500.[4] The Terregles MS., however, says that he married Janet Douglas, and had by her 'Andrew and Elizabeth,' and that he afterwards married the 'Lord Hume's daughter, by whom he had 2 sones and a daughter.' Another old MS. pedigree[5] agrees with this account, and adds that Andrew, having parted from Janet Douglas, settled the estates and honours upon William, the son of his later marriage. There is evidence, as will be seen, that the daughter Elizabeth was a half-sister of the third Lord, and that the latter's mother was a Home: and the son Andrew (whether the eldest son or not) was a real person, who, as 'brother to William Lord Hereis,' had a respite for fire-raising, etc., in 1528.[6] Possibly he was son of Beatrix Herries. If his father obtained a decree declaring his mar-

[1] Fraser, *Douglas Book*, iii. 149. [2] *Reg. Mag. Sig.* [3] *Book of Carlaverock*, ii. 451. [4] *Reg. Mag. Sig.* [5] Quoted in a letter, *penes* Edwd. Herries, C.B., dated 28 February 1828, to the Right Hon. J. C. Herries from its then possessor, Sir Andrew Halliday. [6] Pitcairn's *Trials*, i. 242*, 327*.

riage with Beatrix void from the beginning on the ground of consanguinity, the children of the union would have been illegitimate, and there would have been no need for setting Andrew aside from estates and honours, a measure that would have required the royal authority. The last wife, Nicholas, daughter of Alexander, second Lord Home, married, secondly, Patrick Hepburn, second son of Patrick, first Earl of Bothwell. *(See that title.)*

Besides Andrew, and perhaps another son mentioned in the Terregles MS., Lord Herries had issue:—

1. WILLIAM, third Lord.
2. *Elizabeth*, half-sister of William, for the Council in 1517 ordered her 'eme' (uncle) Roger Herries, tutor to her brother Lord Herries, then of 'tender age,' to provide for her till her marriage, or during the time that her brother remained in tutory, he not having up to that time given her a pennyworth to sustain her since her father's death, which was right heavy to her, a 'damisell faderles and modirles.'[1] It will be seen presently that the third Lord's mother was living as late as 1529.
3. *Margaret*, married before March 1521 to Gilbert, third son of Sir Thomas Maclellan of Bombie.[2] *(See title* Kirkcudbright.)

III. WILLIAM (Herries), third Lord Herries of Terregles, was a minor at the time of his father's death. An inquest found, 29 January 1515-16, that he was nearest heir to his father Andrew.[3] That his mother was Nicholas Home is clear from a description of the funeral at Holyroodhouse, 29 March 1636, of his grand-daughter Lady Wigtown (daughter of Agnes, Lady Herries) given by Sir James Balfour,[4] who was present as Lyon King of Arms. The 'eight branches' (arms of her great-grandparents) were borne in the procession, the four on her mother's side being Lord Herries, Kennedy of Blairquhan, the Earl of Home (carried by 'Jo. Home unckell to Ja. E. of Home'), and Murray of Cockpool. Lord Herries complained to the Council, July 1529, that Roger Herries of Maidenpaup was

[1] Herries Peerage Case, No. 67. [2] *Exch. Rolls*, xiv. 509; Crawfurd, *Peerage*, art. Kirkcudbright, where she is called Janet. [3] Herries Peerage Case, No. 10. [4] *Heraldic Tracts*, 122.

oppressing his and his mother's tenants, and laying waste their land. Roger was ordered to cease from troubling Herries and his mother.[1]

Herries was an Extraordinary Lord of Session in 1532,[2] and was one of the seven Lords who proclaimed the Earl of Arran as Regent in Parliament, 15 March 1542-43.[3] He died 26 September 1543,[4] leaving three daughters by his wife Katherine, daughter of James Kennedy of Blairquhan, Ayrshire, by Agnes, daughter of Sir John Murray of Cockpool (*see* Annandale).[5] She married, secondly, John Wallace, tutor of Craigie.[6]

1. AGNES, Lady Herries.
2. *Katherine*, second[7] daughter, married, first, on or before 14 February 1550-51,[8] Alexander Stewart, younger of Garlies (*see title* Galloway); secondly, Uchtred M'Dowall of Mundork. John Hamilton, son of the Regent Arran, had, 3 February 1550-51, a grant of her third of the barony of Herries,[9] which she, with consent of her grandfather and curator, James Kennedy of Blairquhan, agreed to resign in his favour, 12 February 1550-51, as he had disponed to her her marriage, and as his father had arranged her marriage with Garlies with a tocher of 2300 merks, and had supplied her with money, jewels, and clothes, suitable to her own and her future husband's rank. But in March 1561-62 she said that she was taken by force in her minority, and kept in the 'strincht and captyvitie' till she was 'compellit and coactit' to resign this third. She signs a fresh resignation of it in favour of Sir John Maxwell and Agnes Herries, his wife, 18 November 1566, with her hand at the pen, led by the notary, at her command.[10] The testament of 'Kathrene Hareis, Lady Garleis, spouse to Uchreid M'Dougall of Mundork,' who died 8 February 1592-93, was confirmed at Edinburgh 11 March 1593-94, her son James Stewart being executor.[11]

[1] Herries Peerage Case, No. 68. [2] Brunton and Haig, *Senators*, etc. [3] *Acta Parl. Scot.*, ii. 413. [4] Terregles MS. [5] *Reg. Mag. Sig.*, 28 April 1543; 15 May 1552. [6] *Ibid.*, 21 August 1545; the inventory attached to the will of Agnes, Lady Herries, shows that she had two brothers, James and William Wallace. [7] Herries Peerage Case, No. 81. [8] *Reg. Mag. Sig.* [9] *Ibid.* [10] Herries Peerage Case, Nos. 82, 100, 26. [11] Edin. Tests.

3. *Janet*, or *Jean*, third[1] daughter, resigned with the same consent as her sister her third of the barony of Herries in favour of the same John Hamilton in 1552.[2] As wife of Sir James Cockburn of Skirling she ratified, 1 February 1575-76, this resignation and the sale of the lands to John Maxwell, Lord Herries.[3] Sir James died in or before 1592,[4] and his widow died in the Canongate in December 1612, her testament being confirmed in Edinburgh 28 February 1614.[5]

IV. AGNES (Herries), Lady Herries of Terregles, eldest[6] of the three daughters of the third Lord, was born about 1534. On their father's death the Regent Arran gave the marriages of these children, wards of the Crown, to his second son Gavin Hamilton, with remainder to his brothers John (who eventually had them) and David, 30 September 1543.[7] Robert, Lord Maxwell, whose lands marched with those of Herries, made suit to Arran for the marriage of Agnes,[8] and after his death in 1546 his second son John, called Master of Maxwell, as heir-presumptive to his brother, became a suitor for her hand. (*See title* Nithsdale.) Born about 1512, he was educated at New-abbey, which monastery in later times he refused to demolish at the bidding of the Lords of Congregation.[9] Soon after the battle of Pinkie he was forced, like many borderers, to swear allegiance to England.[10] Crossed in his suit by Arran, who meant Agnes for his own son, Maxwell, who governed the family forces in the absence of his elder brother, a prisoner in England, offered to help Arran's rival, the banished Earl of Lennox, in his plan of a forcible return to Scotland aided by the English under Lord Wharton.[11] Arran in alarm now offered Maxwell the Herries heiress if he would break faith with Lennox and the English, and abstain from the invasion.[12] Maxwell accepted the offer, and actively opposed Lennox's raid in February 1547-48, which consequently failed.[13] He and his friends had given

[1] Herries Peerage Case, No. 84. [2] *Reg. Mag. Sig.*, 15 May 1552. [3] Herries Peerage Case, No. 160. [4] *Acta Parl. Scot.*, iii. 583. [5] Edin. Tests. [6] Herries Peerage Case, No. 15. [7] *Ibid.*, No. 14. [8] *Hamilton Papers*, ii. 155. [9] *Book of Carlaverock*, i. 568. [10] *P. C. Reg.*, i. 414. [11] Herries, *Memoirs*, etc., Abbotsford Club, 22, 23. [12] *Cal. of Dom. State Papers*, 1601-3, Add. 1547-65, p. 381. [13] *Cal. of Scot. State Papers*, i. 81-83.

hostages for their fidelity to Wharton, and according to the Herries *Memoirs* fourteen of these were hanged, but Wharton says, that owing to the outcry of Scottish allies he had (up to March 18, 1547-48) hanged only three 'pledges,' one of them being Warden of the Grey Friars in Dumfries; before April 18, however, another hostage, Herbert Maxwell, vicar of Carlaverock, had suffered.[1] Arran kept faith with Maxwell, who had a grant of the marriage of Agnes Herries under the Privy Seal on the 18th, and a gift from John Hamilton of his rights thereto on the 19th, March 1547-48,[2] and on March 29 Wharton reported to Protector Somerset that Maxwell had been with the Regent, and received in marriage Lord Herries's daughter, and that he had arrived at the house of Drumlanrig on March 25 'with his wife of 14 years of age.'[3] A papal dispensation, 26 May 1555, giving them leave to remarry, and legitimising their issue, shows that Maxwell and his wife were related within the third degree of affinity.[4]

They had a charter, 1 February 1549-50, of a third of Terregles, etc.,[5] and Maxwell in 1561 bought the other two-thirds obtained by John Hamilton from his wife's sisters,[6] and got Hamilton to further ratify this sale in 1564, and bought from him, 12 December 1566, a right of redemption which he still possessed.[7] Maxwell is called 'now lord hereis' in a Parliamentary ratification, 19 April 1567,[8] of a Crown charter, dated 8 May 1566, incorporating the baronies of Terregles, Kirkgunzeon, and Ur into a new barony of Terregles in favour of himself and his wife and the heirs-male betwixt them, which failing, of his own heirs-male whatsoever.[9] Maxwell's courtesy right to represent his wife's Peerage, in accordance with a Scottish custom of that period, was not recognised by the Crown, according to Sir James Balfour,[10] till the occasion of the baptism of Prince James, 17 December 1566. He first sat in Parliament as Lord Herries 14 April 1567.[11] The Crown had probably delayed recognition of his and his wife's Peerage rights till they were in possession of the old territorial barony of

[1] *Domestic Papers, ut supra*, 372, 381-382. [2] Herries Peerage Case, Nos. 16, 145. [3] *Domestic Papers, ut supra*, 377. [4] Herries Peerage Case, No. 222. [5] *Reg. Mag. Sig.* [6] *Ibid.*, 8 September 1561. [7] Herries Peerage Case, Nos. 153, 157, 231. [8] *Acta Parl. Scot.*, ii. 558. [9] *Reg. Mag. Sig.* [10] *Heraldic Tracts*, 51. [11] *Acta Parl. Scot.*

Herries, unhampered by Hamilton's right of redemption over two-thirds of it. This right was purchased just before the royal baptism, where Maxwell is said to have first appeared as Lord Herries.

Sir William Fraser has told so exhaustively the story of the public life of this Lord Herries,[1] that it need only be said here that, though a Protestant, a friend at one time of John Knox, and a signer, 27 January 1560-61, of the Book of Discipline, he eventually gained historical renown as a devoted partisan of Queen Mary. He died suddenly on Sunday, 20 January 1582-83, in William Fowler's lodging in Edinburgh, where he had gone to see 'the boys bicker,' having told his family that he was too unwell to go to the afternoon preaching.[2] He was buried in the 'Queer of the Kirk of Terreiglis,' which he had built.[3] His will, dated 26 May 1582, was confirmed at Edinburgh 11 July 1583.[4] Agnes, Lady Herries, died at Terregles 14 March 1593-94, having made her will the day before; 'seik in body bot haill in mynd and saull,' she desires to be buried beside her husband, and after leaving legacies to her children, she takes kindly thought for servants and tenants. Being not 'habill to writt,' she orders Mr. Thomsoun, reader of the kirk of Terregles, to 'subscryve' the will, confirmed at Edinburgh 19 December 1598.[5] This inability to write was probably not merely due to sickness, for she signed documents in 1566 and 1582 with her hand at the pen, led by the notary, at her command.[6] Lord and Lady Herries had issue:—

1. WILLIAM, fifth Lord.
2. *Sir Robert*, of Spottes, a property left him by his father's will, died before 31 October 1615.[7] He married, first, Elizabeth Gordon, daughter of John Gordon of Auchinreoch, and widow of Alexander Maclellan of Gelston,[8] who died before 22 January 1607;[9] secondly, Sara, or Grissel, sister of Sir James Johnstone of that Ilk.[10]

Robert Maxwell of Orchardtoun, son and heir of Sir Robert,[11]

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[1] *Book of Carlaverock*, i. 497-569; see too *Dict. Nat. Biog.* [2] Calderwood, *History*, Wodrow Soc., viii. 232. [3] Terregles MS.; see G. Neilson's *Repentance Tower* for another of his buildings. [4] Herries Peerage Case, No. 30. [5] *Ibid.*, No. 31; Edin. Tests. [6] Herries Peerage Case, Nos. 23, 90. [7] Kirkcudbright Retours. [8] Sasine 2 January 1584-85, Reg. Ho. Calendar, No. 2771. [9] Edin. Tests. [10] Vol. i. of this work, 252. [11] *Reg. Mag. Sig.*, 2 January 1616.

was created a Baronet in 1663. For a pedigree of his descendants see *Book of Carlaverock*, i. 590.

3. *Edward*, Commendator of Dundrennan, died 29 September 1598.[1] He married, before 1597, Margaret, daughter of William Baillie of Lamington.[2] She married, secondly, John Livingston of West Quarter.[3] For a pedigree of Edward's descendants, Baillies of Lamington, and Maxwells of Newlaw and Breoch, see *Book of Carlaverock*; one son, however, Hew Maxwell, a highwayman,[4] is there omitted.
4. *James*, to whom Edward, Commendator of Dundrennan, in return for benefits done to his convent by his father, Lord Herries, granted, 28 January 1567-68, the lands of Newlaw, etc., but he died before the confirmation of the grant, 1 March 1576-77.[5]
5. *John*, of Newlaw. His father left him the feus of Dundrennan, which his brother James had had. Provost of Dumfries in 1585; he is probably the Maxwell who represented the town in Parliament that year.[6] When on the King's service, 2 April 1587, he was slain and hewn in pieces near Carlaverock by a gang of Irvings and others, because a Maxwell had once, when Warden, handed over one of their clan to English justice.[7] The inventory attached to the will of Agnes, Lady Herries, shows that he left a daughter, Jane Maxwell.
6. *Elizabeth*, married, first, to Sir John Gordon of Lochinvar (*see title* Kenmure): her mother left 'ye lady lochinwar' her black loose velvet gown; secondly, to Sir Alexander Fraser of Philorth.[8] She died about December 1620.
7. *Margaret*, married, before 1592, to Mark, first Earl of Lothian and Lord Newbottle.[10]
8. *Agnes*; married, before 12 August 1581, to Sir John Charteris of Amisfield; her mother left 'Agnes lady Amisfeild' a gown of 'blak taffitie.' Sir John and she were

[1] Gravestone at Terregles. [2] *Reg. Mag. Sig.*, 2 March 1577-78. [3] *Lives of the Baillies*, 33. [4] *P. C. Reg.*, x. 419; xi. 72. [5] Herries Peerage Case, No. 232. [6] *Acta Parl. Scot.*, iii. 374, 388, 399. [7] *Border Papers*, i. 476-477; Swan's *Dumfries Guide* (W. Dickie), 3rd ed. 15. [8] *Reg. Mag. Sig.*, 30 May 1608; 7 March 1615. [9] Canongate Burial Register, December 1620. [10] Terregles MS.; Scotstarvet, *Staggering State*, 105-106.

both living 25 December 1612.[1] She was imprisoned in Edinburgh from February to March 1610 for helping Thomas Kirkpatrick, apparent of Closeburn, to escape from the tolbooth.[2]

9. *Mary*, married to William, sixth Lord Hay of Yester.[3] She died before 10 January 1592-93.[4]
10. *Sara*, married, first, to Sir James Johnstone of that Ilk (*see title* Annandale); her mother left 'Sara lady Johnestoun' a gown and a pair of gold bracelets; secondly, to John, first Earl of Wigtown;[5] thirdly, to Hugh, first Viscount Montgomery of Ards, in the Peerage of Ireland.[6] See also p. 407.
11. *Grissel* was under fourteen when her father made his will. Her mother left her her own pair of gold 'braislaittis.' She married Sir Thomas Maclellan of Bombie (*see title* Kirkcudbright), contract January 1584.[7]
12. *Nicolas*; her mother left her a gown of burret of silk with a skirt and doublet of 'sating.' Married to Sir William Grierson of Lag, contract 8 March 1592-93.[8]

Lord Herries left his 'bastard sone' *James* to be servant to his son William, who was to 'intertein' him, as he made good deserving, and he left 100 pounds of geir to 'Sande . . . of an euill inclinatioun,' who, he believed, had been 'wranguslie namit' upon him. This *Alexander* is described in a writ of 25 January 1587-88 as brother natural of William, Lord Herries.[9] A letter of legitimation was granted, 13 August 1550, to *William* Maxwell, bastard son of Sir John Maxwell of Terregles.[10]

V. William (Maxwell), fifth Lord Herries of Terregles, is said to be '37 yeres' of age in a report on the Scottish Nobility, dated 1 July 1592.[11] A Crown writ, 17 April 1594, authorised him to have himself served heir to John, Lord, Agnes, Lady, and William and Andrew, Lords Herries, his father, mother, grandfather, and great-grandfather.[12] He

[1] *Border Papers*, i. 72; Fraser, *Annandale Book*, i. p. cccxxxviii. [2] *P. C. Reg.*, viii. 426-427, 445; xiv. 615. [3] *Reg. Mag. Sig.*, 24 February 1590-91. [4] Edin. Tests. [5] *Reg. Mag. Sig.*, 12 December 1620. [6] *Ibid.*, 7 July 1625. [7] Herries Peerage Case, No. 139. [8] *Ibid.*, No. 140. [9] Register House Calendar, at date. [10] *Reg. Mag. Sig.* [11] *Estimate of Scottish Nobility*, Grampian Club, 69. [12] Herries Peerage Case, No. 99.

sat in Parliament as Master of Herries in 1572 and as Lord Herries in 1584, and on other occasions. He was made a Gentleman of the King's Chamber in 1580 and a Privy Councillor on 26 January 1582-83, and was Warden of the West Border from June 1587 to September 1588, from January to December 1595, and for a short time in 1600.

He was a Roman Catholic, and early in 1588, the Spanish Armada year, he and other Catholics caused much alarm by assembling at Linlithgow; but in an audience he convinced the King of his loyalty, and he undertook to attend Kirk to hear the 'sermonis,' and to harbour no jesuits or 'messe priests' in his domains, and later in the year he was ordered, as Warden, to be in readiness against the coming of the Armada. In 1601 he was accused of hearing Mass and consorting with jesuits, and in February 1602 he found surety that he would not reset John Hamilton or Gilbert Brown, sometime Abbot of Newabbey. The General Assembly of 1601 ordered two ministers to wait upon him and instruct him in religion, but they reported to the Assembly of 1602 that they had effected nothing, as he had only made a short stay in Edinburgh, whereupon Mr. Robert Wallace was ordered to wait upon him with the same object for a quarter of a year, but there is no record of how this gentleman fared in his mission.

Lord Herries took part in the family feud with the Johnstones, and in October 1595, when Warden, led an expedition of Maxwells against them, but was defeated, and had to retire with loss. In 1596 he signed, with certain reservations, a band of assurance to the Laird of Johnstone; and early in 1600 he agreed to submit his difference with the Laird to the arbitration of the King and others, with reservation of his duty of blood and friendship to Lord Maxwell. In November 1597, with consent of both English and Scottish authorities, he burnt the country of the Irvings of Gratney, to avenge the death of his brother John.[1]

He made his will at Terregles, 6 October 1603 (confirmed at Edinburgh with that of his wife 5 June 1605), and died there on the tenth of the same month. By his wife Katherine, daughter of Mark Ker, Commendator of New-

[1] For statements about this Lord see *Acta Parl. Scot.*; *P. C. Reg.*; Thorpe's *Cal.*; *Border Papers*; Calderwood's *Hist.*; *Dict. Nat. Biog.*

bottle, and sister of Mark, first Earl of Lothian,[1] who died in March 1600, he had issue :—

1. JOHN, sixth Lord.
2. *Sir William*, of Gribton, a property granted to him by his father in 1596.[2] He married Barbara, daughter of John Johnstone of Newbie by Elizabeth Stewart.[3]

   John Maxwell was served heir to his father, Sir William, 7 October 1628.[4] He had brothers, Edward,[5] and Alexander.[6] There was a William Maxwell, junior, of Gribton, in 1677, and a James Maxwell of Gribton in 1696.[7]

3. *Sir Robert*, of Sweetheart, Gentleman of the King's Bedchamber.[8]
4. *Edward*, who was more than once in conflict with the minister of Kirkgunzeon.[9]
5. *James*.[10]
6. *Agnes*, married to James Maitland of Lethington.[11]
7. ——, Lady Urchell,[12] probably the wife of John, second Laird of Orchell, grandson of the second Earl of Montrose.
8. *Margaret*, married to Robert Glendinning of Parton.[13]
9. *Grissel*, died unmarried.[14]

VI. JOHN (Maxwell), sixth Lord Herries of Terregles, was served heir to his father 26 January 1604.[15] He was a Privy Councillor, and in 1618 a Commissioner to keep order in the Middle Shires. He and the Laird of Lochinvar were fined 500 and 1000 merks respectively, 29 January 1611, cartels in 'verie outragious terms' having passed between them. In 1628 he was concerned in a riotous attempt to rescue some prisoners from the pledge Chamber of Dumfries. Though not present, he sent some of his sons to help; the town bailies, however, put down this 'disordourlie insolence' with a high hand, and only one prisoner escaped. Herries was too ill to appear before the Council in January 1629 to answer for his conduct on this occasion.[16]

[1] Terregles MS. [2] *Reg. Mag. Sig.*, 12 January 1609. [3] *P. C. Reg.*, vii. *passim*; 2nd ser. ii. 202, 320. [4] Kirkcudbright Retours. [5] *P. C. Reg.*, 2nd ser., iv. 666. [6] *Fifth Rep. Hist. MSS. Com.*, 653. [7] Herries Peerage Case, Nos. 54, 55. [8] Terregles MS. [9] *P. C. Reg.*, vii. 644; x. 396; xi. 588. [10] Terregles MS. [11] *Ibid.*; *Reg. Mag. Sig.*, 14 November 1592. [12] *Ibid.* [13] *Reg. Mag. Sig.*, 16 April 1616. [14] Terregles MS. [15] Dumfries Retours. [16] For statements about this Lord see *P. C. Reg.*

In a sasine of Terregles in favour of his son and heir John, Lord Herries, dated 8 November 1631,[1] he is said to have 'died lately,' having deceased before Whitsunday of that year.[2] His wife Elizabeth, daughter of John, Lord Maxwell (sometime Earl of Morton),[3] was excommunicated as a Papist by Mr. Melville, minister of Terregles, in 1628, but took no heed of this 'fearful sentence,' and remained 'proudlie and contempnandlie at the processe of excommunication.'[4] By her, who was living, a good deal over threescore, in December 1639,[5] Herries had issue:—

1. John, seventh Lord.
2. *James*, of Breconside.[6] For pedigrees of his descendants by his wife Margaret Vans (Maxwells of Breconside, Terraughtie, Munches, and Carruchan), see the *Book of Carlaverock*. His descendant, William Maxwell of Carruchan (who died without issue in 1863), opposed in 1848 the claim of Mr. Constable-Maxwell to the Herries Peerage.
3. *William*.
4. *Alexander*.
5. *Robert*; the last three were 'captains in France.'[7]
6. *Edward*, of Lawston, married Margaret Glen, with issue.[8]
7. *Frederick*, rector of the Scots Seminary at Madrid; died in 1632.[9]
8. *Michael*, accidentally killed while playing at bowls at Comlongan.[10]

All these younger sons were named in a bond of provision by their father, dated 10 October 1627.[11]

9. *Elizabeth*, married, as his second wife, to George, third Earl of Wintoun,[12] and survived him.

VII. John (Maxwell), seventh Lord Herries of Terregles, succeeded in 1667, on the death of his kinsman Robert, Earl of Nithsdale and Lord Maxwell, to the ancient title of Maxwell, and also, as heir-male, to the earldom of Nithsdale.

[1] Herries Peerage Case, No. 45. [2] Liber Responsionum, 1623-38, f. 252. [3] *Reg. Mag. Sig.*, 25 June 1612. [4] *P. C. Reg.*, 2nd ser., ii. 535; iii. 96, 97. [5] Fraser, *Maxwells of Pollok*, ii. 274. [6] *Reg. Mag. Sig.*, 23 June, 14 July, 1638. [7] Terregles MS. [8] *Book of Carlaverock*, i. 584. [9] *Fifth Rep. Hist. MSS. Com.*, 653. [10] *Book of Carlaverock*, i. 584. [11] *Ibid.*, 383-384. [12] Terregles MS.; *Reg. Mag. Sig.*, 3 August 1642.

dale, conferred on the late Earl's father and his heirs-male in 1620.[1] He joined Montrose in 1644, and was excommunicated by the General Assembly. He died between 23 February and 29 June 1677. He married (contract 19 August 1626) Elizabeth, daughter of Sir Robert Gordon of Lochinvar,[2] and had, with other issue, a son,

VIII. Robert (Maxwell), fourth Earl of Nithsdale, eighth Lord Herries of Terregles. He had sasine of Carlaverock, as Earl of Nithsdale, 29 June 1677, following on a Crown charter of the same in his favour, as Lord Maxwell, on his father's resignation, dated 16 February 1677.[3] He died between 7 August 1682 and 23 March 1682-83.[4] He married (contract 6 and 25 March 1669) Lucy, daughter of William, first Marquess of Douglas[5] (*see title* Angus), and had, with other issue, a son,

IX. William (Maxwell), fifth Earl of Nithsdale, ninth Lord Herries of Terregles. He was served heir to his father 26 May 1696.[6] Impeached for high treason for taking part in the Rebellion of 1715, he pleaded guilty 19 January, and was sentenced to death 9 February 1715-16, and all his honours were forfeited.[7] By the aid of his wife he escaped from prison and England, and he died in Rome 20 March 1744.[8] By his wife Winifred, daughter of William (Herbert), first Marquess of Powis,[9] he left, with other issue, a son,

William Maxwell, Lord Maxwell by courtesy, who died 2 August 1776.[10] Fuller accounts of him and his three predecessors will be found in the article on the title of Nithsdale. In 1712 his father disponed to him and a variety of heirs his landed estates, which were thus saved from the consequences of the attainder of 1716.[11] By his first wife (his cousin) Catherine, daughter of Charles (Stuart), fourth Earl of Traquair,[12] he left an only surviving child and heiress—

[1] Herries Peerage Case, Nos. 51, 52. [2] *Book of Carlaverock*, i. 383. [3] Herries Peerage Case, Nos. 53, 54. [4] *Book of Carlaverock*, i. 405. [5] *Ibid.*, 397, 413. [6] *Dumfries Retours.* [7] *Journal of House of Lords.* [8] *Book of Carlaverock*, i. 443 ; ii. 222-234. [9] *Ibid.*, i. 416, 482. [10] Herries Peerage Case, No. 61. [11] *Ibid.*, Nos. 58, 59. [12] *Ibid.*, No. 61 ; *Book of Carlaverock*, i. 488.

WINIFRED MAXWELL, who was served heir to her father 23 December 1776. She married, in her twenty-third year, at Terregles, 17 October 1758,[1] William Haggerston-Constable. He was second son of Sir Carnaby Haggerston, third Baronet of Haggerston, Northumberland, by Elizabeth, daughter of Peter Middelton of Stockeld, Yorkshire, and grandson of William Haggerston (who died before his father, the second baronet) by Anne, sister of Sir Marmaduke Constable, fourth Baronet of Everingham, Yorkshire (who died in 1746). On inheriting the latter's estates he assumed the name of Constable, and after his marriage he bore the name of Maxwell before that of Constable.[2] He died at Terregles 20 June 1797.[3] His wife, who was a friend of Burns, the poet, died at Terregles, 13 July 1801, having somewhat impaired the estates by lavish hospitality to friends and neighbours.[4] They had issue:—

1. MARMADUKE, of Everingham.
2. *William* (Middelton), of Stockeld, which he inherited from his grandmother's family. Born 25 December 1760, he died 17 December 1847, leaving issue by his wife Clara Louisa, daughter of William Grace.[5] He and Charles are named as brothers of Marmaduke in a deed of entail executed by the latter in 1814.[6]
3. *Charles*, born 25 March 1764; assumed the name of his wife Elizabeth, sister and heiress of Sir William Stanley, fifth Baronet of Hooton (married July 1793, died June 1797).[7] He died 14 September 1844, having married, secondly, 24 February 1800, Mary, daughter of Thomas Macdonald.[8] By her, who died in 1831, he had, with a younger son *William*, who died young, and two daughters, *Mary* (died in 1878) and *Katherine*, Abbess of the Benedictine Abbey at Teignmouth, a son,

   Thomas Angus Constable, of the Manor House, Otley, Yorkshire. Born in 1805, he died in 1901, leaving, by his wife Elizabeth Ducarel, daughter of Henri Pierre, Comte de Lapasture (married 17 August 1865), a daughter Mary, who was married, 26 July 1893, to Charles, Lord Mowbray and Stourton.

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[1] *Book of Carlaverock*, i. 488; Herries Peerage Case, No. 62. [2] A very detailed Haggerston pedigree is given in Raine's *North Durham*. [3] *Scots Mag.*, lix. 504. [4] *Book of Carlaverock*, i. 490-494. [5] See Middelton of Stockeld in Burke's *Landed Gentry*. [6] Herries Peerage Case, No. 64. [7] *Gentleman's Mag.*, lxiii. 766; lxvii. 535. [8] *Ibid.*, lxx. 588.

4. *Catherine*, born 1762.
5. *Mary*, born 1766, married, 24 June 1794,[1] to John Webb-Weston, of Sutton Place, Surrey.
6. *Theresa*, born 1768.
7. *Clementina*, born 1774.

MARMADUKE CONSTABLE-MAXWELL of Everingham. Born 2 January 1760.[2] He was served heir to his mother 23 September 1801, and to his father 28 October 1811. In 1814 he made a settlement whereby his eldest son inherited the Maxwell and Constable properties, and his second son the Herries estates of Terregles, etc.[3] He died suddenly at Abbeville 30 June 1819, when on his way to Paris with his eldest daughter.[4] He married at Beckford House, Gloucestershire, 26 November 1800, Theresa Apollonia, daughter of Edmund, and niece of William Wakeman of Beckford.[5] By her, who died 8 November 1846, he had the following children:[6]—

1. WILLIAM, Lord Herries.
2. *Marmaduke*, of Terregles, born 1 January 1806, died 16 July 1872, leaving no issue.[7] He and his surviving brothers and sisters were granted, 2 August 1858, the precedence of a baron's children. His wife Mary, daughter of the Rev. Anthony Marsden of Gargrave (married in 1836), died 22 October 1882..
3. *Peter*, born 7 February 1807; he died 27 February 1851, having had by his wife Helena Mary, daughter of John P. B. Bowdon of Southgate, Derbyshire (married 1834, died 1851), these children:—
   (1) *Eustace*, died young.
   (2) *Frederick* of Terregles, born 1839, died 1873.
   (3) *Alfred* of Terregles, born 1841, died 1889.
   (4) *Robert*, born 1843, died 1874.
   (5) *Edward*, born 1846, died 1884.
   (6) *Wilfred*, born 1847, died 1881.
   (7) *Helena Mary Teresa*.
   (8) *Agatha Mary*, married, in 1867, Edward, only son of James Pilkington of Swinthwaite, Yorkshire. He died in 1882.
   (9) *Alice Clare*, married, in 1875, Philip J. C. Howard of Corby, Carlisle.

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[1] *Scots Mag.*, lvi. 373. [2] *Ibid.*, xxii. 50. [3] *Book of Carlaverock*, i. 494, 495. [4] *Ibid.*, 495. [5] *Gentleman's Mag.*, lxx. 1288. [6] Named in order of seniority in a deed of entail, 16 May 1814; Herries Peerage Case, No. 64. [7] For a memoir of him see the *Book of Carlaverock*, which owed its existence mainly to his encouragement.

4. *Henry*, of Scarthingwell, Yorkshire; born 28 December 1809, he died in October 1890. He assumed the name of Stuart in 1876, on inheriting the estates of his relation, Lady Louisa Stuart, sister of the eighth Earl of Traquair. By his wife Juliana, daughter of Peter Middelton of Stockeld (married 1840, died September 1904, aged eighty-six), he had issue:—

   (1) *Herbert Constable-Maxwell-Stuart* of Terregles and Traquair, born 1842.
   (2) *Arthur*, born 1845.
   (3) *Charles*, born 1851.
   (4) *Edmund*, born 1858, married Mary Anne, daughter of William, Lord Herries.
   (5) *Henry*, born 1861.
   (6) *Philip*, born 1864, died 1872.
   (7) *George*, born 1866.
   (8) *Laura*, died 1864.
   (9) *Agnes*, a nun.
   (10) *Juliana*.
   (11) *Louisa Mary Josephine*, died 1873.
   (12) *Blanche*, a nun.

5. *Joseph*, in Holy Orders of the Church of Rome; born 1811, died in October 1869.
6. *Mary*, married, 1 May 1821, the Hon. Charles Langdale, fourth son of Charles, seventeenth Lord Stourton, who died in 1868; she died in September 1857.
7. *Theresa*, born in 1802; married, 14 January 1822, the Hon. Charles Clifford, second son of Charles, sixth Lord Clifford of Chudleigh, who died in 1870; she died in April 1883.

X. William (Constable-Maxwell), tenth Lord Herries of Terregles. Born 25 August 1804, he was served heir to his grandmother, Winifred Maxwell, 27 July 1827. In 1833 he was High Sheriff of Yorkshire. An Act of Parliament restoring in blood the descendants of the body of the fifth Earl of Nithsdale having been passed in 1848, he presented a petition to the Queen, praying that it might be adjudged that he was entitled to the dignity of Lord Herries of Terregles, as lineal heir of the body of Agnes Herries, who had enjoyed that dignity as eldest daughter and heir-portioner of the third Lord. His petition was referred to the House of Lords, and by the House to the Committee for

Privileges, 15 June 1848.[1] On 21 July following, William Maxwell of Carruchan (refer to James, second son of John, sixth Lord) obtained leave to be heard in opposition to this claim.[2] He contended (1) that where (as in this case) no instrument creating a Scottish Peerage could be shown, the law, in the absence of rebutting evidence, presumed a limitation to heirs-male of the body of the grantee; (2) that therefore Agnes Herries presumably did not inherit the Peerage; (3) that Sir John Maxwell consequently was not a Peer by courtesy as her husband, but was created Lord Herries about the end of 1566, with remainder presumably to heirs-male of the body, for no instrument of creation could be shown; (4) that he was the heir-male of the body of the said John (Maxwell), Lord Herries.[3] The Committee resolved, 23 June 1858, that Constable-Maxwell had established his claim.[4] His opponent had relied mainly on two points, absence of recognition of Agnes as a Peeress in documents emanating from the Crown before the end of 1566 (for a possible reason for this refer to the account of Agnes), and the fact that her son succeeded his father as Lord Herries in her lifetime. (The Lord Advocate suggested that Agnes might have surrendered her Peerage to the Crown in favour of her son.[5]) It was held that these facts could not stand against the weight of evidence on the other side. For the Peerage certainly did not become extinct on the death of the third Lord without male issue, and if it had been limited to heirs-male it ought to have descended to his cousin Archibald Herries (refer to Roger, fourth son of the first Lord), but the evidence showed that, though well aware of his position as heir-male, he had made no claim to the dignity. The natural inference from this was that it had been inherited by Agnes Herries, who long before 1566 is given the style of a Peeress (from 1550 onwards), in instruments of sasine and other notarial instruments drawn up, as the Lord Advocate pointed out,[6] by a notary, a public officer sworn to accuracy and fidelity. Moreover, in the Decreet of Ranking of 1606, her grandson John, sixth Lord Herries, is ranked as having inherited the

[1] *Journal of the House of Lords.* [2] *Ibid.* [3] Case and Supplemental Case of Wm. Maxwell, etc. [4] For the reasons given see M'Queen's *Reports*, etc., iii. 585. [5] *Ibid.*, 609. [6] *Ibid.*, 593.

Peerage bestowed on Herbert Herries about 1490. The House of Lords adopted the Report of the Committee 24 June 1858, and ordered it to be laid before the Queen.[1]

Lord Herries died 12 November 1876, having married, 12 November 1835, Marcia, daughter of the Hon. Sir Edward Vavasour of Hazlewood, Yorkshire, Bart., third son of Charles, seventeenth Lord Stourton. By her, who died 18 November 1883, aged sixty-seven, he had issue:—

1. MARMADUKE, eleventh Lord.
2. *William*, born 24 April 1841, died 16 January 1903.
3. *Joseph*, born 16 January 1847. He assumed the additional name of Scott after his marriage (21 July 1874) with Mary Monica, daughter of James Robert Hope-Scott of Abbotsford by Charlotte his wife, daughter of John Gibson Lockhart, and granddaughter of Sir Walter Scott, Bart. He has issue:—
   (1) *Walter Joseph*, captain in the Army, born April 1875.
   (2) *Joseph Michael*, R.N., born May 1880.
   (3) *Malcolm Joseph*, R.N., born October 1883.
   (4) *Herbert Francis Joseph*, born March 1891.
   (5) *Mary Josephine*, born 1876, married, 21 September 1897, to Alexander Augustus Dalglish.
   (6) *Winifride Mary Josephine*, born 1878, died 1880.
   (7) *Alice Mary Josephine*, born 1881, married, 26 April 1905, to Edward Cassidy of Monastereven, Kildare.
   (8) *Margaret Mary Lucy*, born 1884.
4. *Bernard*, born 3 April 1848; married, first, 8 November 1881, Mathilda, daughter of Alfred Dupont Jessup of Philadelphia, who died 13 November 1882, leaving a son, *Bernard Joseph*, born November, died December 1882; secondly, 30 April 1890, Alice, daughter of Simon (Fraser), thirteenth Lord Lovat, by whom he has issue:—
   (1) *Ian Simon Joseph*, born 1891.
   (2) *Ronald Joseph Tarlagan*, born 1892.
   (3) *Gerald Joseph*, born 1895.
   (4) *David Philip*, born 1904.
   (5) —— a son, born 1906.
   (6) *Mary Philomena*, born 1893.
   (7) *Margaret Mary Ethelreda*, born 1897.
   (8) *Winifrede Mary*, born 1898.
   (9) *Joan*, born 1901.
5. *Walter*, born 13 August 1849; married, 24 November

[1] *Journal of the House of Lords.*

1898, Henrietta Maria Arienwen, daughter of John Arthur Herbert of Llanarth by his wife Augusta, daughter of Benjamin (Hall), Lord Llanover.

6. *John*, born 5 July 1855, died 16 February 1882.
7. *Peter*, born 4 July 1857, died 11 November 1869.
8. *Marcia*, born 1836.
9. *Mary Agnes*, a nun, born 1839.
10. *Eleanor Mary*, a nun, born 1840.
11. *Emily Josephine*, a nun, born 1842.
12. *Gwendoline*, a nun, born 1844.
13. *Winifred*, a nun, born 1845, died 1903.
14. *Teresa*, born 1852.
15. *Everilda*, a nun, born 1853, died 1889.
16. *Mary Anne*, born 1858; married, 16 July 1884, her cousin Edmund Constable-Maxwell-Stuart, and has issue.

XI. MARMADUKE (Constable-Maxwell), eleventh Lord Herries of Terregles (fourteenth holder of the title but for the attainder of 1716). Born 4 October 1837, he was served heir to his father 22 January 1877. He has been Lord-Lieutenant of the East Riding of Yorkshire since 1880, and of the Stewartry of Kirkcudbright since 1885. He was created LORD HERRIES OF CARLAVEROCK CASTLE, Dumfriesshire, and OF EVERINGHAM, Yorkshire, in the Peerage of the United Kingdom, with remainder to the lawful heirs-male of his body, 10 November 1884. He married, at the Oratory, Brompton, 14 April 1875, Angela Mary Charlotte, daughter of Edward, first Lord Howard of Glossop, by whom he has issue:—

1. GWENDOLINE MARY, heiress-presumptive to the Scottish Barony. Born 11 January 1877, she was married, at Everingham, 15 February 1904, to Henry, fifteenth Duke of Norfolk, K.G., and has a daughter, Mary Rachel, born 27 June 1905.
2. *Angela Mary*, born 10 December 1877. She was married, at Everingham, 20 April 1904, to the Hon. James Eric Drummond, second son of James, eighth Viscount Strathallan, and brother of William, Earl of Perth, by whom she has issue.

CREATIONS.—Scottish Peerage between 1 June 1486 and

4 February 1489-90; Peerage of the United Kingdom 10 November 1884.

ARMS (recorded in Lyon Register).—Quarterly, 1st grand quarter, argent, an eagle displayed with two heads sable, beaked and membered gules, surmounted of an escutcheon of the first, charged with a saltire of the second and surcharged in the centre with a hurcheon or, for *Maxwell, Earl of Nithsdale*; 2nd grand quarter, counterquartered, 1st and 4th, argent, a saltire sable, in chief a label of three points gules, for *Maxwell*; 2nd and 3rd, argent, three hurcheons sable, for *Herries*; 3rd grand quarter, quarterly, gules and vair, a bend or, for *Constable of Everingham*; 4th grand quarter, azure, on a bend cotised argent three billets sable for *Haggerston of Haggerston.*

CREST.—A stag's head couped with ten tynes argent.

SUPPORTERS.—Two savages wreathed about the loins and holding clubs in their exterior hands proper.

MOTTO.—*Dominus dedit.*

[D. C. H.]

BOTHWELL, LORD HOLYROODHOUSE

WILLIAM BOTHWELL, burgess of Edinburgh, Dean of Guild of that city in 1503, and for some years after,[1] married a lady named Katherine, her surname being unknown. She is referred to in the sasine to his son (quoted below). He had four sons, and died before 28 March 1515.[2]

1. *David*, who married Christian, daughter and heir of Edward Lamb; they had sasine of subjects in Edinburgh 19 September 1503,[3] and died *s. p.*
2. *Richard*, the well-known churchman, Apostolic Protonotary, obtained one of the Prebends of the cathedral of Glasgow,[4] was nominated by the King to the canonry of Ashkirk, and admitted thereto by the Chapter of Glasgow, 7 June 1505,[5] became Provost of St. Mary of the Fields, Edinburgh, afterwards known as the Kirk of the Fields, the place where Darnley was murdered.[6] He held the appointment of Director of Chancery to James v.,[7] and on the institution of the College of Justice on

[1] Burgh Records, Edinburgh. [2] Guild Register, Edinburgh. [3] Protocol Book, J. Foular, Edinburgh. [4] Brunton and Haig's *Senators*. [5] *Diocesan Registers of Glasgow*, ii. 101. [6] *Reg. Mag. Sig.*, 19 November 1524. [7] *Ibid.*, 16 April 1524.

25 May 1532 his name appears first of the Ordinary Lords appointed on the spiritual side.[1] By a special act of grace he was, in February 1539-40, excused by the King from the necessity of regularly attending the sittings of the Court, owing to his ill-health; at the same time all his privileges, honours, and emoluments were reserved to him.[2] While Rector of Ashkirk he was chosen one of the Royal Commissioners for the opening of Parliament in August and December 1534;[3] was elected 7 June of that year one of the Lords of the Articles for the Clergy; and on the 12 of the same month acted for his brethren of the 'spiritualitie' as one of the Commissioners for the tax granted to James v. on his marriage.[4] He had a charter of the lands of Boghead, in the parish of Newlands and sheriffdom of Peebles, 28 February 1535,[5] and died 1 January 1548-49.[6]

3. *William*, ancestor of the Bothwells of Glencorse.
4. *Mr. Francis*, of whom below.

Mr. Francis Bothwell, fourth son of William, Dean of Guild, was elected Procurator of the Scottish Nation in Orleans University 3 August 1513, which office he resigned 21 January following.[7] Admitted burgess of Edinburgh 28 March 1515 as son of the deceased William Bothwell,[8] and adopting the same profession as his father, that of a merchant in Edinburgh, he supplied the Court with dress materials, payment being made to him for purple velvet for a coat for the King in December 1526,[9] and as late as August 1537, after his death, similar material was bought from 'Master Francis Bothwiles wyfe to the Queen's tyrement.[10] He took a lively interest in municipal affairs, and during the course of his career held in succession several of the most important offices in the civic councils of Edinburgh, ultimately in 1525 being raised to the position of Provost of the city.[11] On 16 November 1524 the name of Mr. Francis Bothwell appears on the rolls of

[1] *Acta Parl. Scot.*, ii. 336. [2] Brunton and Haig's *Senators*, and *Acts of Sederunt*, 1811, p. 39. [3] *Acta Parl. Scot.*, ii. 338, 340. [4] *Ibid.*, 342. [5] *Reg. Mag. Sig.* [6] *Reg. Episc. Glasg.*, ii. 614. [7] Scot. Hist. Soc. *Misc.*, ii. 84. [8] Guild Register. [9] *Treasurer's Accounts*, v. 297. [10] *Ibid.*, vi. 332. [11] Burgh Records, Edinburgh.

Parliament as a Commissioner of the Burghs, and he was appointed one of the Lords Auditors of Causes at that time, and a Lord of the Articles on several other occasions.[1] He was also chosen by the barons as one of their commissioners for the tax granted to James v. on his marriage,[2] but the most distinguished honour paid to him was his appointment by his sovereign as one of the Lords of Session when the College of Justice was founded in 1532,[3] the fee paid to him in June of the following year for his services for the Session being £133, 6s. 8d. Scots.[4] Francis Bothwell had a tack of the Customs of Inverness, etc., in succession to Adam Hopper, the previous Custumar, who died shortly after 12 August 1529.[5] On 20 December 1535 he was seriously ill,[6] and died shortly after, as on 14 of the following month his widow had a tack of the customs of Inverness, etc.[7] He married, first, Janet, daughter and co-heir of Patrick Richardson of Meldrumsheugh, who was Burgess and Treasurer of Edinburgh in 1504 and also in 1508.[8] With her he had sasine of subjects in Edinburgh 9 November 1515.[9] She was alive 13 January 1527-28.[10] He married, secondly, before 19 February 1529-30,[11] Katherine Bellenden, daughter of Sir Thomas Bellenden of Auchinoull, relict of Adam Hopper, burgess of Edinburgh. Francis and Katherine had a sasine 19 February 1529-30.[12] She survived him, and married Oliver Sinclair of Pitcairns,[13] by whom she had a daughter *Isobel*.[14] The children of Mr. Francis by the first marriage were:—

1. *David*, who married Christian Marjoribanks, with whom he had a sasine 6 May 1541.[15] His daughter and heir, *Katherine*, was married to Alexander Sym, advocate, Commissary of Edinburgh,[16] and had a numerous family. She died 9 January 1583-84.[17]
2. *William*, Parson of Ashkirk. A procuratory of resignation of the parsonage in his favour was executed by Richard Bothwell his uncle 1 August 1538.[18] He

[1] *Acta Parl. Scot.* [2] *Ibid.* [3] *Ibid.* [4] *Treasurer's Accounts*, vi. 153. [5] *Exch. Rolls*, xv. 513-514. [6] Protocol Book, James Androsoun, Adv. Library. [7] *Reg. Sec. Sig.*, x. 94. [8] Burgh Records, Edinburgh. [9] Protocol Book of J. Foular. [10] Protocol Book of Vincent Strathauchin. [11] Protocol Book of J. Foular. [12] *Ibid.* [13] *Reg. Mag. Sig.*, 12 January 1537-38. [14] *Reg. of Deeds*, x., folio 108, 6 November 1556. [15] Protocol Book of And. Brounhill. [16] *Acts and Decreets*, xxxiii. f. 324. [17] Edin. Tests., 8 May 1584. [18] Protocol Book of Ed. Dicksoun, Adv. Library.

died about 1552,[1] and his sister Margaret was his executrix.[2]

3. *Margaret*, married, first, to John Arthur, burgess of Edinburgh, who died before Whitsunday 1550;[3] and secondly, to Gilbert Balfour of Westray, burgess of Edinburgh,[4] who is styled goodbrother of Archibald Napier of Merchiston.[5] They had a charter of Westray in the sheriffdom of Orkney from Adam, Bishop of Orkney, 30 June 1560.[6] He was constable of Kirkwall 20 April 1561,[7] and also held the office of Sheriff of Orkney.[8] He died in August 1576, and she in September 1578.[9]

The children by his second marriage were:—

4. ADAM, of whom below.
5. *Janet*, married, before 17 January 1548-49,[10] to Archibald Napier of Merchiston, and was mother of the John Napier, inventor of Logarithms, and ancestor of Lord Napier and Ettrick.
6. *Isobel*, who was married to Allan Couttis of Grange.[11]

ADAM, eldest son of second marriage,[12] took holy orders, being made parson of Ashkirk and Canon of Glasgow,[13] and was provided by the Pope to the Bishopric of Orkney 2 August 1559.[14] Admitted to the temporalities of the See 11 October 1559,[15] he lost no time in visiting his diocese, arriving there in the course of that month. He found trouble and strife awaiting him, instigated, he had reason to believe, by his cousin-german the Justice-Clerk Bellenden. Two 'Sinclairs' resident in that part of the country had married two sisters of the Justice-Clerk, unknown in the pedigrees of the Bellenden family, and the bishop complained that these Sinclairs, Henry and Robert, had raised a tumult among the people of the country and had seized his house at Birsay, which they held, and lay in wait for him on his return from one of his visitations to capture or

[1] *Acts and Decreets*, viii. f. 456. [2] *Ibid.* [3] *Exch. Rolls*, xviii. 518-519. [4] Protocol Book of A. King, 9 April 1559. [5] *Reg. of Deeds*, iv. f. 230. [6] *Reg. Mag. Sig.*, 1 October 1565. [7] Letter of James Alexander to Janet, Lady Merchiston, in Napier's *Life of John Napier*. [8] *P. C. Reg.*, 9 July 1567. [9] Edin. Tests. [10] *Reg. of Deeds*, iv. f. 230. [11] Home Drummond's MS. pedigree. [12] *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 70. [13] *Acts and Decreets*, lxxii. f. 22. [14] Brady, i. 152. [15] *Reg. Sec. Sig.*, xxx. 11.

slay him. In this they were not successful, but the bishop, unable to cope with these and other similar disturbances, left Orkney and went to France in the spring of 1561 to lay his complaints before Queen Mary, and returned to Scotland in her train.[1] Adam Bothwell was one of the bishops who adopted the reformed faith. He was made an extraordinary Lord of Session 14 January 1563-64, and an ordinary Lord on 13 November 1565.[2] Sworn of the Privy Council, he attended the council meetings with commendable zeal and regularity.[3] He married Queen Mary to the Earl of Bothwell at Holyroodhouse on 15 May 1567, for which and for other alleged offences he was 'delated' for a time by the General Assembly of the Kirk.[4]

On 29 July 1567 he crowned the infant King, James VI., in the parish church of Stirling.[5] He joined the expedition under Murray of Tullibardine, the Comptroller, and Kirkcaldy of Grange, organised by orders of the Privy Council in 1567 to pursue and capture the Duke of Orkney, and when the ship in which the bishop sailed was wrecked on a sandbank on the coast of Shetland, he was the last man to leave the sinking vessel, narrowly escaping drowning owing to the weight of the armour he wore.[6]

He accompanied the Regent Murray to the Conferences at York and Westminster in 1568 as one of his commissioners, and it was he who gave in the written accusation denouncing the Queen as being implicated in the murder of Darnley.[7] By a contract dated at Fastcastle and Edinburgh on 27 and 30 September 1568, he exchanged the greater part of the temporalities of the See of Orkney with Robert Stewart the Abbot of Holyroodhouse for that abbey,[8] and thus became Commendator of Holyroodhouse, still, however, retaining his title of Bishop of Orkney. He was imprisoned in the Castle of Stirling for a short time for protesting, along with the Earl of Montrose and Lord Lindsay on 16 July 1578, against the actions of the Earl of Morton,[9] and he took part in the revolution of 23 August 1582, known as the Ruthven Raid, being nominated to the

[1] Spottiswoode's *Hist.*, Edin. 1851, note to Book IV. [2] Brunton and Haig. [3] *P. C. Reg.* [4] Calderwood's *Hist.*, ii. 393. [5] *P. C. Reg.*, i. 452. [6] *Ibid.* and Melville's *Memoirs*, 186. [7] Melville's *Memoirs*, 211. [8] *Acts and Decreets*, xlii. f. 341; cf. *Reg. Mag. Sig.*, 9 June 1585. [9] *Hist. King James VI.*, 167.

reconstituted Privy Council on 26 October thereafter in the place of the Duke of Lennox.[1]

Adam, Bishop of Orkney, held many other important appointments, too numerous to give in detail.[2]

He had sasine of Eistoun of Dunsyre, as heir of his father and mother, 2 November 1560,[3] and had a charter of the barony of Alhammer or Whitekirk, 11 March 1587-88,[4] and another of Brighouse, in the sheriffdom of Linlithgow, 3 August 1592.[5] He died on 23 August 1593, as inscribed on the monument to his memory in the Abbey Church of Holyroodhouse, where he was buried. He married Margaret, daughter of John Murray of Touchadam,[6] who died September 1608.[7]

They had five sons and two daughters:—

1. JOHN, afterwards Lord Holyroodhouse.
2. *Mr. Francis*, 'Servitour to His Majesty,'[8] held the office of Master Carver to the King;[9] he had a royal charter of the lands of Over and Nether Stewartoun, Peeblesshire, 14 June 1589.[10] He received the latter portion of his education at Leyden, to which he was admitted as a student of law 29 June 1589, and from which he wrote in a letter in April 1691 to Sir John Maitland, Chancellor of Scotland, he had begun to study civil law.[11] Robert Dennistoun, Agent for His Majesty and Conservator of the privileges of the Scottish Nation in the Low Countries, received from Walter Callender of Bordie, on 20 April 1590, in name of Adam, Bishop of Orkney, the sum of £52 Scots in part payment of a greater sum forwarded by Dennistoun to Mr. Francis Bothwell, son of the Bishop, for sustaining him at the schools in Leyden.[12] He was slain in a feud near Tantallon Castle on 24 July 1614 by Robert Douglas, son of John Douglas, M.A., parson of Longformacus.[13] He married his cousin Margaret, daughter of Allan Couttis, elder of Grange,[14] to the latter of whom he

[1] *P. C. Reg.*, iii. 522. [2] *Acta Parl. Scot.* [3] Protocol Book of A. King. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Acts and Decreets*, lxxi. f. 39. [7] Edin. Tests. [8] Pitcairn's *Criminal Trials*, ii. 92. [9] Home Drummond's MS. [10] *Reg. Mag. Sig.* [11] *Album Studiosorum Academiæ Lugduno-Batavensis*; Fraser's *Haddington Memorials*, ii. 60-61. [12] Calendar of Charters in General Register House at date. [13] *P. C. Reg.*, x. 269. [14] Edin. Tests.

was executor,[1] and left nine children, one of whom died before 14 December 1614, as eight only are mentioned in a bond of that date by John, Lord Holyroodhouse.[2] The eight remaining were :—

(1) *Major John*, who died October 1631.[3]
(2) *James*, who died before 6 June 1633, when his brother, Captain William, was served heir both to him and to Major John.[4]
(3) *Adam*.
(4) *Captain William*, who died before 12 December 1639.[5]
(5) *Arthur*, who was named in Major John's testament.[6]
(6) *George*.
(7) *Alexander*. Both died before 1627.[7]
(8) *Elizabeth*, married to George Strang, portioner of Kilrenny, in 1621,[8] was executrix-dative of John, second Lord Holyroodhouse. She was served heir to Captain William, her brother-german, 12 December 1639,[9] which indicates that all the other children of her father were then dead, without succession.

3. *Mr. James*,[10] who was dead before 10 October 1611.[11]
4. *George*.[12] In his mother's testament he is called Captain George.[13]
5. *William*. He interdicted himself 24 April 1605,[14] and died without issue, his brother Captain George being served heir to him 18 January 1609.[15]

All these five sons are named in the charter quoted below.[16]

6. *Adam*, who was dead 5 May 1620.
7. *Jean*, married to William Sandilandis of St. Monance,[17] and had issue. She died 10 February 1625.[18]
8. *Helenor*, who died unmarried. Her brother George had a precept of clare constat, as her heir, in an annualrent 14 July 1599.[19]

I. John Bothwell, the Bishop of Orkney's eldest son, was, like his brother Francis, sent abroad to complete his education, where he formed numerous friendships, amongst others with Anthony Bacon,[20] with whom he afterwards cor-

[1] Fraser's *Earls of Melville*, i. 177, *note* 11. [2] *Reg. of Deeds*, ccxxxvi. 245. [3] Edin. Tests. [4] *Retours General*. [5] *Ibid.* [6] Edin. Tests. [7] *Reg. of Deeds*, cccxcix. 191. [8] *Ibid.*; and Wood's *East Neuk of Fife*. [9] *Retours General*. [10] *Reg. of Deeds*, xxii. 115. [11] *Special Retours*, Haddington, 440. [12] *Reg. Sec. Sig.*, xliv. 103. [13] Edin. Tests.; and *Acts and Decreets*, lxxi. f. 39. [14] *Reg. of Deeds*, civ. [15] Canongate Court Book Minute-Book. [16] *Reg. Mag. Sig.*, 11 March 1587-88; *Edin. Sasines*, iii. 182 ff. [17] *Reg. of Deeds*, xliv. 205. [18] St. Andrews Tests. [19] *Edin. Sasines, Secretary's Register*, iii. 216. [20] Lambeth MS., Bacon's *Coll.*, v. fol. 116.

responded.[1] He was provided to the commendatorship of Holyrood 24 February 1581-82.[2] On 11 March 1587-88[3] he had a charter of Alhammer or Whitekirk to his father in life-rent and himself in fee, with remainder to his four brothers successively. In 1593, on his father's resignation, he was, on 2 July of that year, appointed an Ordinary Lord of Session, his recommendation for the office being, that he had 'been brocht up fra his youth in learning and studying of the laws,' and had 'attenit to ane reasonable understanding in letters, and maist hable for the said place.'[4] He was chosen one of the Lords on the Articles on 16 July 1593,[5] and again on 17 June 1609, a few months before his death.

Early in his career John Bothwell gained the favour and esteem of James VI., and rose still higher in his estimation by his generosity in returning to the King in 1595, without claiming the redemption money, 'an greit rubie set in golde,' which had been given in pledge by his Majesty to Adam, Bishop of Orkney, as security for a loan of £500 Scots.[6] Of a gay and genial disposition, he was ever ready when opportunity offered to take part in the sports and amusements of Court life; accordingly, when, at the tournament given on 30 August 1594, on the occasion of the baptism of Prince Henry, the King appeared in the guise of 'a Christian,' John Bothwell, 'the Abbot of Holyrood House,' presented himself in the character of 'an Amazon in women's attire, very sumptuously clad.'[7] He accompanied his royal master to England on his succeeding to the English throne. In the years 1604 and 1605 he occupied the position of a Commissioner of Parliament. For his services in the Privy Council, and also for 'sundrie uthers great weichtie and honourable services,'[8] he was created a peer under the title of LORD HOLYROODHOUSE, and the lands and baronies of Dunrod, Meikle and Little Kirklands in the Stewartry of Kirkcudbright, Alhammer or Whitekirk, in the county of Haddington, the monastery of Holyroodhouse, etc., were created into a free temporal lordship, 20 December 1607, to him and the heirs-

[1] Napier's *Life of John Napier*, 278-279. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] Books of Sederunt, and Brunton and Haig's *Senators.* [5] *Acta Parl. Scot.*, iv. 7. [6] Napier's *Life of John Napier*, and Royal Household Papers, 4 January 1595-96, in Reg. House, Edinburgh. [7] *Account of the Baptism of Henry, Prince of Scotland.* [8] *Acta Parl. Scot.*, iv. 330.

male of his body; whom failing, to the heirs-male of the body of Adam, Bishop of Orkney, his father; whom failing, to his heirs and assigns whatsoever.[1] He died 26 November 1609,[2] having married, contract 1 July 1596, Maria, daughter of Sir John Carmichael of that Ilk,[3] with whom he got 12,000 merks of portion. Dame Maria Carmichael, Lady Holyroodhouse, was Lady-in-waiting to Anna of Denmark, Queen of James VI., and had an annual grant of 3600 merks.[4] She died May 1626.[5]

1. JOHN, second Lord Holyroodhouse.
2. *Anna*, a lady hitherto omitted from the pedigrees of the family, but she not infrequently appears on record as her father's executrix. She was undoubtedly the heroine of the well-known Scottish ballad, *Lady Anna Bothwell's Lament*, as the great tragedy of her life was her desertion by Sir Alexander Erskine, a son of the Earl of Mar, to whom, under promise of marriage, she bore a son named *Alexander*, who was baptized 17 April 1622.[6] She died unmarried, and was buried in April 1625.[7]

II. JOHN, second Lord Holyroodhouse, was served heir to his father in various lands 14 March 1611, 14 July 1618, and 17 January 1629,[8] and died, unmarried, 10 February 1638.[9] He had three natural daughters, *Jean*, *Mary*, and *Isobel*, baptized 30 May 1623, 27 May 1628, and 16 February 1629, respectively.[10]

After the death of the second Lord Holyroodhouse the title remained dormant till the year 1704, when Alexander Bothwell of Glencorse laid claim to it. On his death his eldest son, Henry Bothwell of Glencorse, not only claimed the Peerage, but assumed the title, his eldest son taking the designation of the Master of Holyroodhouse. This branch of the Bothwell family was descended from

WILLIAM, third son of William Bothwell, Dean of Guild, who had with his wife Marion Somerville, sasine of

[1] *Reg. Mag. Sig.*; Crawfurd, *Peerage*, 185. [2] Edin. Tests. [3] *Reg. Mag. Sig.*, 2 February 1613, *note* 2. [4] *P. C. Reg.*, 2nd Ser., i. 187, 203. [5] Edin. Tests. and Canongate Burial Register. [6] *Scot. Hist. Review*, ii. 108, and Canongate Baptism Reg. [7] Canongate Burials. [8] *Retours, Haddington.* [9] Edin. Tests. [10] Canongate Baptism Register.

subjects in Edinburgh 3 December 1510.[1] He had two sons, viz.:—

1. *Richard*, who had sasine as his father's heir 21 March 1524-25. He died without issue.
2. WILLIAM, of whom below.

WILLIAM Bothwell, the ultimate heir of William his father, William his grandfather, and Mr. Richard his uncle, 16 April 1549,[2] was Chamberlain of Orkney, and was styled of Quhelpsyde.[3] Married Janet Cuninghame, with whom he had sasines 20 April 1548 and 16 April 1549, and died in June 1575.[4] She died 20 April 1591.[5] They had issue:—

1. *William*, who died 13 September 1605.[6] He married, first, a lady whose name has not been recorded. He married, secondly, Theodorite, daughter of Adrian Daman of Bisterfeild, Commissioner for the Low Country of Flanders, with whom he had a sasine 26 February 1595-96.[7] He married, thirdly, Jane Sinclair, who survived him.

The son by the first marriage was:—

(1) *William* who was infeft in the fee of some subjects in Edinburgh 21 May 1584.[8] He survived his father, and was alive on 6 March 1606.[9] He died *s. p.*

2. ADAM, of whom below.

ADAM of Pitscottie, Quhelpsyde, and Glencorse, second son of William and Janet Cuninghame, was bailie of the Canongate, Edinburgh, 1624 and 1625.[10] He was served heir of his father 16 August 1580, which service was reduced at his brother's instance in 1584,[11] and had a pension from his kinsman Adam, Bishop of Orkney.[12] He was executor both to his father and mother; he died 22 July 1634, and was buried in Holyrood Abbey.[13]

He married, first (contract dated 29 June 1596), Janet, daughter of James Hart, burgess of the Canongate,[14] who

[1] Protocol Book of J. Foular. [2] Protocol Book of Alex. King. [3] *Reg. Mag. Sig.*, 18 February 1565-66. [4] Edin. Tests; Protocol Books of Vincent Strathauchin and Alex. King. [5] Edin. Tests. [6] *Ibid.* [7] Protocol Book of Alex. Guthrie. [8] *Ibid.* [9] *Acts and Decreets*, ccxiv. f. 428. [10] *Edin. Sasines*, ix. 335 and xii. 216. [11] *Acts and Decreets*, xcviii. (2) f. 184. [12] *Reg. Sec. Sig.*, lxvi. 194. [13] Edin. Tests and Canongate Burial Register. [14] *Reg. of Deeds*, cx. 325-326.

died March 1617;[1] and secondly, 23 December 1617, Elspeth Mowbray,[2] who died in September 1628.[3]

By his first wife he had issue:—

1. *William*, whose testament was confirmed 4 March 1639.[4]
2. *Mr. Adam*, baptized 3 July 1604,[5] who had a precept of clare constat as his father's heir 1 August 1637,[6] and died between January and July 1638.[7] He married (contract 5 April 1628) Katherine,[8] daughter of William Sandilands of St. Monance, who died before 21 March 1632,[9] and left issue:—
   (1) *Adam*, baptized 11 May 1629. He died young, and Alexander his cousin was served heir of tailzie to him 2 April 1645.[10]
   (2) *William*, who died in infancy, 1631.[11]
   (3) *Jean*, who was baptized 26 July 1631;[12] married to Jonas Hamilton of Colquot in Peeblesshire, without issue.
3. ALEXANDER, of whom below.
4. *John*, baptized 18 June 1611.[13] He died *s. p.*, and Alexander, his brother, was served heir to him 19 August 1634.[14]
5. *Mary*, who was baptized 21 August 1601;[15] married, 12 February 1622, to James Aikenhead, advocate,[16] and had issue. She was alive, but a widow, in 1653.[17]
6. *Elizabeth*, baptized 8 October 1602.[18]

ALEXANDER Bothwell of Glencorse, third son of Adam Bothwell and Janet Hart, was baptized 19 June 1608.[19] He had sasine of lands of Newholme 5 February 1628,[20] and died between 12 April and 26 May 1687.[21] He married Mary, daughter of Sir James Stewart of Tullois, who had sasine as his future wife 29 September 1639.[22] They left issue:—

1. ALEXANDER, who succeeded.

[1] Edin. Tests and Canongate Burials. [2] Canongate Marriages. [3] Canongate Burials. [4] Edin. Tests. [5] Canongate Baptisms. [6] *Edin. Sasines*, xxvi. 26, 313: cf. *Laing Charters*, Nos. 1999, 2155. [7] *Edin. Sasines*, xxvii. 83. [8] *Reg. of Deeds*, ccccxxi. 317. [9] *Edin. Sasines*, xix. 104. [10] *Retours, Gen.*, 3046. [11] Canongate Reg. of Burials. [12] Canongate Baptisms. [13] *Ibid.* [14] *Retours, Edin.*, 752. [15] Canongate Baptisms. [16] Canongate Marriages. [17] Glencorse Papers. [18] Canongate Baptisms. [19] Canongate Reg. [20] *Lanark Sasines*, Upper Ward, iii. 12. [21] Edinburgh Burgh Court Decreets. [22] *Lanark Sasines*, Upper Ward, iii. 75.

2. *James*, who married, 25 October 1664, Margaret, daughter of Sir John Johnston of Elphinston,[1] and died without issue.[2]
3. *John*, who died unmarried.[3]
4. *Margaret*, who became the second wife of Sir Robert Preston, Knight, of Preston and Gorton, one of the Lords of Session, who died prior to 10 February 1675. She survived her husband, and they had issue.[4]
5. *Anna*, married, 29 April 1676, to Mr. George Purves, minister of the parish of Glencorse.[5]

ALEXANDER Bothwell, who succeeded, was served heir of John, Lord Holyroodhouse, 4 February 1704,[6] and laid claim to that title and dignity.[7] He based his claim on an alleged descent from Sir Richard Bothwell, Provost of Edinburgh, second son of Sir Francis Bothwell, who had a son William, who was the father of Adam Bothwell of Quhelpsyde, the claimant's grandfather.[8] The pedigree was incorrect, and his claim was not recognised by the Crown. He married (contract dated 22 November 1656) Janet, daughter of John Trotter of Mortonhall.[9] She was buried in Glencorse Churchyard 19 April 1717, and he was also buried there 2 September 1727.[10] They had issue:—

1. HENRY, of whom below.
2. *Alexander*, merchant in Edinburgh, who was baptized 18 August 1661,[11] and died unmarried after 15 May 1692.[12]
3. *John*, served heir of his brother Alexander 1 July 1706.[13] Married, first, an English lady in London; and secondly, a lady in Edinburgh. He left two sons and one daughter.[14]
4. *Adam*, baptized 11 November 1677, who died unmarried.[15]
5. *Robert*, M.A., writer in Edinburgh, who was buried in Glencorse 20 November 1701.[16]

[1] Canongate Marriages; *Gen. Reg. of Inhibitions*, 12 January 1665. [2] Father Hay's MS. [3] *Ibid.* [4] *Reg. of Inhibitions* and Father Hay's MS.; Edin. Tests. [5] Glencorse Marriage Reg. [6] *Services of Heirs.* [7] Minutes of Parl. [8] A collection (of Genealogies) written by Robert Mylne in the year 1706. Ms. formerly in Skene House. [9] *Gen. Reg. Sasines*, xii. 146. [10] Glencorse Burial Reg. [11] Glencorse Baptism Reg. [12] Home Drummond's MS. and Glencorse Papers. [13] *Services of Heirs.* [14] Home Drummond's MS. [15] *Ibid.*, and Glencorse Baptism Reg. [16] Glencorse Burial Reg.

6. *George* Bothwell, who died in childhood, and was buried in Greyfriars Churchyard, Edinburgh, 28 December 1676.[1]
7. *William*, baptized 10 January 1675.[2]
8. *Janet*, baptized 15 May 1659, married to William Calderwood of Pitodie, Kinghorn, Fife, on 28 April 1704 at Edinburgh, and was buried at Glencorse 14 March 1729.[3]

HENRY, who succeeded his father and claimed the title of Lord Holyroodhouse, presented a petition to the King, in which he prayed His Majesty to give directions for declaring and establishing his right and title to the honour and dignity of Lord Holyroodhouse. The petition was, by His Majesty's command, laid before the House of Lords 20 March 1734,[4] but no determination was ever come to respecting it.

The pedigree he claimed upon differed from that set forth by his father, but was equally incorrect. He claimed that Adam Bothwell of Quelpsyde, his great-grandfather, was the son of William, second son of Adam, Bishop of Orkney; but William Bothwell, the bishop's fifth, not second, son died without issue, his brother, Captain George, being served heir to him. Henry Bothwell, however, assumed the title and was generally styled Lord Holyroodhouse. He was served heir to his father in 1734, and died the following year[5] on 10 February, in the Canongate, Edinburgh.[6]

He married, first, Mary, daughter of Sir James Ramsay of Whitehill, widow respectively of John Baird, advocate, and of John Mason of Rosebank, Roslin. She died 1693.[7] They had one daughter, who died young.[8] He married, secondly (contract dated 11 April 1694), Mary, eldest daughter of Lord Neil Campbell of Ardmaddie, by Lady Vere Ker, his first wife.[9] By her, who died at Edinburgh in April 1744,[10] he had eight sons and seven daughters:—

1. *Alexander*, baptized 26 May 1695.[11] Married, in 1735,

[1] Greyfriars Reg. [2] Edinburgh Baptism Reg. [3] Glencorse Marriage and Burial Registers. [4] Robertson's *Proceedings*, 149. [5] Home Drummond's MS. [6] Wood's Douglas's *Peerage*, i. 728. [7] Glencorse Papers. [8] Home Drummond's MS. Pedigree. [9] *Edin. Sasines*, 53, 160. [10] Home Drummond's MS.; Glencorse Reg. [11] Glencorse Reg.

Margaret Home, daughter of Charles, sixth Earl of Home,[1] and died without succession.

2. *Neil*, born 1696,[2] was factor to the South Sea Company,[3] and died abroad without issue.[4]
3. *Henry*, who was baptized 6 July 1698, and buried at Glencorse 28 May 1699.[5]
4. *Archibald*, Master of the Mint in Scotland. Baptized 24 September 1699,[6] and died unmarried in London 27 May 1756.[7]
5. *Henry*, baptized 15 March 1702,[8] was in holy orders in France, and died *s.p.*[9]
6. *William*, baptized 29 March 1704 and buried at Glencorse 14 August 1704.[10]
7. *Robert*, surgeon in Edinburgh, who afterwards practised in Jamaica, was baptized 18 March 1705.[11] He married Margaret, daughter of Sir William Preston of Gorton, by whom he had one daughter, *Margaret*, heiress of Glencorse, who died at Bristol 1 April 1792. She became the wife of Colin Drummond, M.D., son of George Drummond, Lord Provost of Edinburgh, and had a daughter, *Margaret*, married to Andrew Drummond, son of her uncle Archibald Drummond, M.D., Bristol, and two sons, (1) *Archibald Bothwell* of Glencorse, many years an officer in the Scots Greys, of which regiment he became lieutenant-colonel, who died at London in January 1809, and (2) *George*.[12]
8. *Adam*, who was buried at Glencorse 17th January 1713.[13]
9. *Vere*, the eldest daughter, was baptized 10 December 1700. Married to Francis Wauchope of Cakemuir or Cockmuir, advocate, on 26 February 1718, and had at least two children, *Henry* and *Francis*.[14] She died at Dalkeith 4 May 1779.
10. *Janet*, who was baptized 3 March 1706, and buried at Glencorse 29 January 1707.[15]
11. *Henrietta*, buried at Glencorse 8 January 1726.[16]
12. *Lilias*, buried at Glencorse 6 January 1730.[17]

[1] Glencorse Reg. [2] *Ibid.* [3] Home Drummond's MS. [4] Wood's Douglas. [5] Glencorse Reg. [6] *Ibid.* [7] Wood's Douglas. [8] Glencorse Reg. [9] Father Hay's MS. [10] Glencorse Reg. [11] Glencorse Reg. [12] Wood's Douglas, 731. [13] Glencorse Reg. [14] *Ibid.* [15] *Ibid.* [16] *Ibid.* [17] *Ibid.*

13. *Anne*, married, according to Home Drummond's MS., to John Menzies, surgeon in Perth; died in Edinburgh 28 October, and buried at Holyrood 1 November, 1762.
14. *Mary*, who, according to Wood's Douglas, married John Menzies above named, died at Edinburgh 24 November 1783.[1]
15. *Eleanora*, died at her house in the Canongate 5, and buried in the Chapel Royal of Holyrood 9, November 1774.[2]

CREATION.—Lord Holyroodhouse, 20 December 1607.

ARMS (as given by Nisbet).—Azure, on a chevron between three trefoils slipped or, a crescent gules.

CREST.—A naked boy pulling down the top of a green pine tree.

SUPPORTERS.—Dexter, a spaniel dog proper, collared gules; sinister, a goshawk, jessed, beaked and belled or.

MOTTO.—*Obduram adversus urgentia.*[3]

[A. W. I.]

[1] *Scots Mag.* [2] Holyrood Burial Reg. [3] Nisbet gives this version of the motto: Douglas gives *obdura* as the first word, and Crawfurd has *surgendum*: in this he agrees with a representation of the arms on the west side of the north transept in Glencorse Church. They are the arms of the last-mentioned Henry Bothwell of Glencorse, and a panel with those of his wife, Mary Campbell, are near. There is an interesting version of the motto in the vernacular on a stone removed from an old doorway at Glencorse House, now at the Lodge entrance: 'Set a stout heart to a stay brae.'

HOME, EARL OF HOME

THE family of Home takes its name from the territory of Home in Berwickshire, which as a place-name first appears in a charter granted by the second Earl Gospatrick of the house of Dunbar to the Church of St. Nicholas of Home[1] before 23 August 1138.[2] The first ancestor of the family has been claimed to be William, son of Patrick, second son of the third Earl Gospatrick,[3] who is said to have assumed the name on his marriage with his cousin Ada, daughter of Patrick, fifth Earl of Dunbar. She received lands in that territory from her father as dowry on her first marriage with William de Curtenay.[4] William de Curtenay died before October 1217, and she married, secondly, Theobald de Lascelles in 1219 or 1220, and was again a widow in 1225.[5] She is said to have married, thirdly, William of Greenlaw, who became in her right Lord of Home, first of the name, and it is further alleged he was the same person as Sir William, Lord of Home, Knight, mentioned in a charter referred to later. There is, however, no known

[1] *Liber de Calchou*, i. 234. [2] Raine's *North Durham*, Appendix, 5, xx. [3] *Liber de Calchou*, i. 55, 56, 57; *Liber de Melros*, i. 67. [4] *Liber de Calchou*, 99, 238. The lands are described as a mere pendicle of the territory of Home, and Ada of Curtenay is not called Lady of Home, but of a part called 'Pullys,' *ibid.*, 101, 235. [5] *Cal. Doc. Scot.*, i. Nos. 677, 694, 753, 919.

Home

proof of a marriage between William, son of Patrick, and Ada de Curtenay, nor of her having made any third marriage, and the identity of William, son of Patrick, with Sir William, Lord of Home, Knight, equally lacks proof. The surname Home was in use long before 1225, the earliest date at which a third marriage of Ada de Curtenay could have taken place.

ALDAN or ALDEN OF HOME is the earliest person on record bearing the name, and he is referred to in a series of charters by or relating to his son Gilbert of Hom or Home, which, though not dated, must have been granted between 1172 and 1178. It is possible, for a reason given below, that he may have been identical with Aldan or Alden, the 'dapifer' or steward successively of Earl Gospatrick III. and Earl Waldeve of Dunbar. If so he must have held a very high place in their household. He had, perhaps with other sons:[1]—

GILBERT OF HOME who first appears as 'Gilbert, son of Aldin,'[2] and afterwards as son of Aldan of Home in the writs referred to. These consist of a series of deeds dealing with the chapel of Wedderlie, which, between 1172 and 1178,[3] Gilbert granted to the monks of Kelso, with all its ecclesiastical benefits from the living or the dead, with certain arable and pasture land. This gift, which was made in free alms, was the outcome of an agreement between the granter and the monks, who claimed the chapel of Wedderlie as a pertinent of the church of Home, which ecclesiastically belonged to them, as to which there had been a dispute. This agreement was made with the sanction of the Synod at Berwick.[4]

[1] Adam, son of Aldan, appears as a witness in various writs (*North Durham*, App., Nos. cxv-cxvii.; *Cart. of Coldstream*, 6), and it may be a coincidence, but Adam the Long of Home occurs as part proprietor of Home, and had a son Robert Home, both named about 1250. A Roger Home appears also at that time, while an Adaccus of Home is named about 1190 (*Liber de Calchou*, i. 234, 236, 237; *Cart. of Coldstream*, 6). [2] *Cart. of Coldstream*, 6. [3] Mr. Andrew, Archdeacon of St. Andrews, one witness, was not Archdeacon until after 1171, and Hugh, the King's chaplain, another witness, became Bishop of St. Andrews in 1178. In the *Liber de Calchou*, Tabula xvii., the writs are assigned to 1250. [4] *Liber de Calchou*, i. 240-243.

Gilbert of Home was a witness to a charter by Patrick, fifth Earl of Dunbar, to the monks of Coldingham, of which the date must be 1198 or 1199, and there he is described as seneschal or steward of Earl Patrick, a designation given him in another writ to the same monks,[1] a fact which suggests that he may have succeeded Aldan in that office. He also is a witness to other writs about the same date.[2] The next owner of the lands of Home on record is

William of Home, to whom King William the Lion, before 1214, granted the lands and castle of Home, as appears from a now missing deed, formerly in the Home Charter-chest.[3] He is designed son of John of Home, and is probably the Sir William, Lord of Home, Knight, who is so designed by his son William, Lord of Home, in writs dated in 1269, and was then deceased. He had so far as known one son,

William of Home, who designs himself Lord of Home, and heir of Sir William, Knight, and some time lord of the town of Home. Little is known of him, but that he had a dispute with the Abbey of Kelso about a small piece of land lying on the outer border of the territory of Home towards the west, near the river of Eden, and called the 'Pullys,' being of a marshy nature. This land the monks claimed under a gift from Ada, called of Curtenay, daughter of Patrick, Earl of Dunbar. William Home, as lord of the territory also claimed the land, and greatly vexed and harassed the monks in their possession. After many quarrels and contentions he, on 9 December 1268, acknowledged his fault and made over the land wholly to the abbey, swearing an oath to protect their liberties. He submits to their will and deposits 100 good sterling shillings to meet expenses, binding himself and his men for payment. He further, a year later, on 1 December 1269, promised to renew and confirm the writ with his new seal when he changed it on taking knighthood.[4] It will be noted that he does not refer to Ada Dunbar or Curtenay in any way other

[1] Raine's *North Durham*, App., Nos. cxx. clxv. [2] *Ibid.*, No. cxvi.; *Liber de Melros*, i. 112. [3] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 171, 178. [4] *Liber de Calchou*, 101, 235; cf. 99, 235, 236.

than as a stranger, and gives no ground for the statement that she was his mother. His first wife is said to have been named Ada, and his second wife Mariota, and Mariota, Lady of Home, widow of Patrick Edgar, her second husband, gave a charter of reconciliation to the convent of Coldstream of lands in Lennel, in return for money paid her in her urgent incapacity.[1]

Galfridus, or Geoffrey de Home is the next on record. He signed the Ragman Roll in 1296, and is said to have been the son of the first marriage of William, Lord of Home. His name appears thereon as Geffrai de Home *del comite de Lanark*.[2] In the rental of Kelso Abbey the name of Galfridus de Home appears as paying yearly from his lands in Home the sum of twelve shillings and sixpence.[3] It is not apparent who was Lord of Home during the disturbed period that followed, but between the years 1335 and 1341 there are entries in the accounts of the Sheriff of Berwick referring to forfeited lands, lying waste, in the territory of Home, then in the possession of King Edward III. Of these were the forfeited lands, once held by William Home, now granted in farm to Gregory Home, and the forfeited lands of John Home, son of John Home and Christian his wife.[4] The exact relationship of these different persons bearing the name does not appear, but a clear succession begins with

Sir John Home, who is referred to in the foundation charter of the collegiate church of Dunglas, granted about 1450 by his great-grandson Sir Alexander Home.[5] He is probably identical with the John Home last named, and also with a John Home who, with Walter de Haliburton, Knight, had a grant from David II. of the forfeiture of John Stratherne.[6] He was succeeded by his son,

Sir Thomas Home, perhaps identical with Thomas de Home, who, going south with John of Derby, Chamberlain of Berwick, had a protection for a year, dated 8 February

[1] *Cart. of Coldstream*, Grampian Club, No. 13, f. 10, p. 9. [2] *Cal. Doc. Scot.*, ii. 204. [3] *Liber de Calchou*, 464. [4] *Cal. Doc. Scot.*, iii. 223, 369, 370. [5] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 124. [6] Robertson's *Index*, 60, No. 21.

1385.[1] He and his wife are referred to by their grandson Sir Alexander Home in his foundation charter to the collegiate church of Dunglas as Thomas of Home, Knight, and Nichola, his wife. She was the heiress of the barony of Dunglas in East Lothian, of the ancient family of Pepdie or Papedy, who held lands on both sides of the Tweed. The name first appears in a charter of Ralph Flambard, third Norman Bishop of Durham 1099-1128.[2] Her arms were argent, three papingos vert, which became the second and third quarters of the Home coat. They had issue:—

1. Sir Alexander.
2. *Sir David*, who had a charter of the lands of Wedderburn, part of the forfeited estates of George, tenth Earl of Dunbar, held by Archibald, fourth Earl of Douglas, and granted by him to Sir David. His charter was confirmed by the Earl of Dunbar, after his restitution 13 February 1413, and both charters were confirmed by King James I. at Perth 19 April 1431.[3]
3. *Patrick*, designed of Rathburn.[4]
4. *Elizabeth*, married to Thomas Ker of Kershaugh.
5. —— said to have been married, as his second wife, to Sir John Oliphant of Aberdalgy, by whom she had a son Thomas, ancestor of the Oliphants of Kelly in Fife.[5]

Sir Alexander Home of Home and Dunglas, was a faithful ally of Archibald, fourth Earl of Douglas, and is said to have been taken prisoner with him at the battle of Homildon, 14 September 1402, when Henry Percy and the rebel Earl of Dunbar and March defeated the Scots. While still a prisoner in England, the Earl of Douglas appointed Alexander Home, his 'loved squire and ally,' deputy keeper of the priory of Coldingham, with a pension of £20 yearly, to continue so long as the Earl held the office of keeper. This deed is dated London 18 October 1406.[6] Sir Alexander, by a charter dated Dunglas 30 November 1423, gave a grant of lands in Kello and Dunglas to the chapel of the Virgin

[1] *Cal. Doc. Scot.*, iv. 79. [2] *North Durham*, additions and corrections, 385. [3] *Hist. MSS. Com., MSS. of Colonel Milne Home*, 17, 19. [4] *Ibid., Twelfth Rep.*, App. viii. 124. [5] Burke's *Commoners*, i. 294. [6] Nat. MSS., ii. No. 60.

at Dunglas, and his charter was confirmed by King James II. 22 August 1450.[1] In February 1423-24 he accompanied the Earl of Douglas on his expedition to France, and with him fell at the battle of Verneuil 17 August 1424.[2] His will, dated at Dunglas 3 February 1423-24, is still extant. It gives an inventory of his effects, and the first clause directs that a commemorative mass should be said for him in the church of the Virgin at Whitekirk, and should he happen to die that year, he desires an immediate mass to be celebrated for him. He names two of his three sons, and provides for them and his three daughters, his executors being Patrick Hepburn, Laird of Wauchton, and his brothers David and Patrick.[3] According to Hume of Godscroft, Sir Alexander's departure was a sudden resolve, due to the regret expressed by the Earl that they were to separate, when the parting moment came before the expedition was to sail, and Sir Alexander again followed his old companion in arms, this time to die with him.[4] An item in the old inventory of Home writs taken in 1637 notes an acknowledgment from Archibald, Earl of Wigtoun, afterwards fifth Earl of Douglas, of a loan of 1000 nobles from Sir Alexander, and is dated 9 February 1423-24.[5] By a curious perversion of the fact Hume of Godscroft calls this loan from Sir Alexander a pension to him from the Earl.[6] Sir Alexander married Jean or Janet Hay, daughter of Sir William Hay of Lochorwarth, by Joanna, daughter and heiress of Hugh Gifford of Yester. Issue:—

1. Sir Alexander.
2. *Thomas*, to whom certain lands in Tyninghame were granted by James Kennedy, Bishop of St. Andrews 20 June 1443.[7] He is not mentioned in his father's will, but is referred to by his brother Sir Alexander, in his foundation charter to the Church of Dunglas.[8]
3. *George*.
4. *Christiana*.
5. *Jonet* or *Janet*.
6. *Alicia*.[9]

[1] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 123. [2] *Ibid.*, 78. [3] *Ibid.* [4] *Hist. House of Douglas*, i. 239. [5] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 172, 185. [6] *Hist. of House of Douglas*, Preface, i. p. xix. [7] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 176. [8] *Ibid.*, 124. [9] *Ibid.*, 87.

Sir Alexander Home succeeded his father in 1424, and in April 1425 made an agreement with his uncle David Home of Wedderburn, to halve the profits of the bailiary of Coldingham whichever of them should acquire it by purchase or otherwise. He is therein designed Alexander of Home, Laird of that Ilk.[1] He had a charter for life from William Douglas, second Earl of Angus, 10 February 1435-36, of the lands of Lintlaws, Crukisfeylde, and Preston.[2] On 4 September 1439 he had a charter from King James II. of part of the barony of Home.[3] He had a confirmation charter of the lands of Hogistoun in the burgh muir of Edinburgh 24 July 1444.[4] He had, 3 January 1447-48, a grant from John, Lord Haliburton, Sheriff of Berwick, of his lands of Lambden for life, and the office of Sheriff Depute. Both grants were confirmed by King James II. 22 January 1449-50.[5] In 1450 Sir Alexander founded the collegiate church of Dunglas, endowing it with lands in Chirnside and elsewhere. His foundation charter sets forth, among those whose souls were to benefit by the grant, his great-grandfather Sir John Home, his grandfather Sir Thomas, and his wife Nichola, his father Sir Alexander, and his mother Janet, his brothers Thomas and George, and his uncles or cousins Patrick Home of Rathburn, and Sir David Home of Wedderburn. The endowment provided for a provost and two chaplains, and four choir-boys, and various regulations are laid down as to the services and vestments. The original charter is still extant, and was confirmed by King James II. 22 August 1450.[6] The foundation was confirmed by a Bull from Pope Nicholas V. dated 2 January 1450-51.[7] Sir Alexander had a safe-conduct abroad with William, eighth Earl of Douglas, 9 November 1450, and was probably one of the brilliant retinue that accompanied the Earl to Rome for the Papal jubilee. On 23 April 1451 he had another safe-conduct with the Earl.[8] On 28 April 1451, William, Earl of Douglas, gave a precept of sasine to infeft Sir Alexander in the lands of Brigham and Hassington, also in land in Hutton, with hospital of the same.[9] On the next day, 29

[1] *Hist. MSS. Com., MSS. of Colonel Milne Home*, 19. [2] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 175. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 124, 125, 126. [7] *Ibid.*, 127. The Bull is still in Lord Home's possession. [8] *Cal. Doc. Scot.*, iv. 1229, 1232. [9] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 113, 114.

April 1451, Sir Alexander had a charter of the lands of Howlaws from James Douglas, afterwards ninth Earl of Douglas.[1] He had a charter from King James II., 20 July 1451, of the lands of Castletown, Langshaws, Gallowbraes and others in Ayrshire, united into the free barony of Langshaws.[2]

Sir Alexander was one of the envoys sent by King James, 27 July 1451, to treat with England, and with his fellow-commissioners he signed a truce for three years, 14 August 1451, in the Church of St. Nicholas, Newcastle-on-Tyne, when he was appointed one of the Scots conservators of the peace.[3] On the threatened invasion of Scotland by the Earl of Northumberland, with James, ninth Earl of Douglas, in 1453, Sir Alexander received £20 by order of King James II. for wine, victuals, spears and lances, for the defence of his house of Home.[4] He is said to have died in 1456, but if the acquittance of his daughter Elyne's dowry, given him by Patrick, Lord Hailes, after her marriage to his son Adam, is correctly dated, it would appear he was alive on 3 February 1460-61.[5] Sir Alexander married Marion Lauder, daughter of John and Katherine Lauder, and granddaughter of Sir Robert Lauder of the Bass. She was co-heiress with her three sisters in the lands of Crailing, Hownam, Swinside, and others, and co-heiress with two of her sisters in the lands of Aldcathy in Linlithgowshire, to which lands they had retour as nearest and lawful heirs of their grandfather, the late Sir Robert Lauder of the Bass, 11 December 1436.[6] Sir Alexander and Marion Lauder were related in the fourth degree of consanguinity, and had to apply for a papal dispensation to marry, which was granted 11 April 1426, but as they married before it arrived, they had to undergo a formal divorce, and be re-united by a second dispensation from Rome dated 4 January 1427-28.[7] They had issue:—

1. Sir Alexander, first Lord Home.
2. *George.*
3. *John.*
4. *Patrick.*

[1] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 146. [2] *Reg. Mag. Sig.* [3] *Cal. Doc. Scot.*, iv. 1235, 1239. [4] *Exch. Rolls*, v. 607. [5] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 88. [6] *Ibid.*, 71, 109, 121, 165. [7] *Ibid.*, 122, 123.

5. *Nicholas.*
6. *Katherine*, married, first, John Sinclair of Herdmanston, by whom she had two daughters, co-heiresses of their grandfather John Sinclair of Herdmanston.
   (1) *Mariota*, heiress of Kimmerghame, married to George Home of Wedderburn.
   (2) *Margaret*, heiress of Polwarth, married to Patrick Home, brother of George Home, ancestor of the Earls of Marchmont.

   Katherine Home married, secondly, Archibald Douglas.[1]
7. *Elyne* or *Helen*, married, first (contract 2 February 1448), to Adam Hepburn, eldest son of Patrick, Lord Hailes.[2] Sir Alexander Home had an acquittance from Patrick, Lord Hailes, of all sums due by reason of the marriage of his son Adam to Elyne, daughter of Sir Alexander, dated 3 February 1460-61.[3] Elyne or Helen Home had a numerous family by the Master of Hailes, who died in 1479; she married, secondly, before 15 July 1480,[4] as his second wife, Alexander Erskine, son and heir-apparent of Thomas Lord Erskine, without issue.

I. Sir Alexander Home, afterwards first Lord Home, had, in the lifetime of his father, a charter from King James II. of the lands Dunglas, Home, Sisterpath, and Kello, 22 August 1450, which lands were united into the free barony of Home by a second charter 20 December 1451, with reservation of liferent to his father.[5] He had a charter of the lands of Chirnside 4 February 1451-52, and a charter of the lands of Brigham, and others, united into the free barony of Home 28 February 1452-53, with the same reservation.[6] These lands formed part of the forfeited earldom of March, now held by the Crown, and the Homes who had formerly held under the Earls of Dunbar and March now became manorial tenants of the Crown. Sir Alexander had a charter from John, Prior of Coldingham, 2 August 1465, of the office of bailiff of Coldingham to him and his heirs, with a fee of £20 Scots yearly, confirmed by King James III. 12 January 1465 and 21 November 1472.[7]

[1] *Hist. MSS. Com., MSS. of Colonel Milne Home*, 4; *ibid., Fourteenth Rep.*, App. iii. 65. [2] Cf. vol. ii. 148. [3] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 88. [4] Vol. ii. 149. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] *Ibid.*

He acquired the lands of Huttonhall by purchase from George Ker of Samuelston 14 July 1467, with a charter to himself and his wife Margaret Montgomerie and their sons Thomas, Nicholas, and David, confirmed by King James III. 20 January 1478-79.[1] He was appointed by Sir Alexander Seton of Tullybody bailiff for life over all his lands in the lordship of Gordon, Fogo, and Huntly 7 November 1471, and had a similar appointment from George, Earl of Huntly, for six years over his lands in Fogo, in conjunction with Alexander Home, his grandson and heir, 27 July 1472.[2] Sir Alexander sat in the Estates among the barons November 1469, May 1471, and February 1471-72.[3] On 2 August 1473 he was created a Lord of Parliament under the title of LORD HOME.[4] Lord Home was appointed by King James, 16 February 1475-76, to escort the Master of Bolton, envoy of King Edward IV., from the Borders, and on 2 February 1476-77 he was sent to escort the bearers of the third instalment of the Princess Cecilia's dower from Berwick to Edinburgh, and a few days later he had the conduct of the almoner of the English King from the Borders to the presence of King James.[5] Lord Home sat in the Parliament of 1478 and 1479, after which date his name does not appear in the records. In the political troubles of the following ten years his name scarcely occurs. He is said to have been one of the nobles concerned in hanging Cochrane, the favourite of King James III., over Lauder Bridge,[6] but the prominent actors in the events that led to the death of that King were his sons George of Ayton, Patrick of Fastcastle, and, above all, his grandson and heir, Alexander, afterwards second Lord Home, who all received ample rewards from King James IV. Apparently the only favour bestowed on Lord Home personally, was the erection, at his request, of the town of Dunglas into a free burgh of barony 29 June 1489.[7] He died between 1490 and 1492.

Lord Home married, first, Mariota, daughter and heiress of Landells of Landells in Berwickshire. By her he had issue:—

1. *Alexander*, who died *vitâ patris* before 30 July 1468.

[1] *Reg. Mag. Sig.* [2] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 138. [3] *Acta Parl. Scot.*, ii. 93, 98, 102. [4] *Ibid.*, 103. [5] *Cal. Doc. Scot.*, iv. 1438, 1445, 1451. [6] Pinkerton, i. 290. [7] *Reg. Mag. Sig.*

He is said to have held the office of Steward of Dunbar. He married Elizabeth Hepburn. By her he had issue :—

(1) ALEXANDER, second Lord Home.
(2) *John* Home of Ersiltoun and Whitrigs, ancestor of the present Earl of Home.

2. *John*, Prior of Coldingham, who resigned that office before 1505,[1] Dean of the Chapel Royal 1476-77,[2] signed a charter as witness under both designations, dated at Dunglas 17 March 1476-77. George Home of Ayton and Patrick Home of Balwoolsy are other witnesses.[3]
3. *George* Home of Ayton, who had a confirmation charter of lands in Ayton and Whitfield 29 November 1472.[4] He was granted a licence by King James III. to erect a castle on his lands in Ayton 1 March 1471-72.[5] He had a charter of the lands of Easter Rossy in Fife 27 July 1488.[6] On 23 February 1489-90 the town and lands of Duns, held by charter from King James III. to George Home and his son John, were erected by King James IV. into a free burgh of barony.[7] He married, and had issue :—

(1) *Sir John* of Duns, Master of the Wardrobe to King James IV.[8]

4. *Sir Patrick* of Fastcastle, had charters of the lands of Balwoolsy and Gordounshall in Fife 25 June 1467,[9] of Colbrandpeth, 25 July 1488,[10] of Bondynghame, co. Berwick, 28 August 1488,[11] and of Montgrenane in Ayrshire 14 October 1488.[12] As Commissioner for Scotland he signed a three years' truce with England at Coldstream 5 October 1488.[13] He had a safe-conduct to England and foreign parts 8 February 1489-90, and was frequently employed on embassies to England and Spain.[14] He had charters of the lands of Whitsomelaws 10 May 1498, of Raufburn and Nesbitslee 3 May 1503, and of Hordean 31 December 1507, all in the county of Berwick. He married, first, a lady

[1] Protocol Book of Robert Young, Edinburgh City Chambers. [2] *Reg. Mag. Sig.*, 20 Jan. 1478-79. [3] *Ibid.* [4] *Ibid.* [5] *Hist. MSS. Com., MSS. of Colonel Milne-Home*, 182. [6] *Reg. Mag. Sig.* [7] *Ibid.* [8] *Exch. Rolls*, x. 335, 372. [9] *Reg. Mag. Sig.* [10] *Ibid.* [11] *Ibid.* [12] *Ibid.* [13] *Cal. Doc. Scot.*, iv. 1545. [14] *Ibid.*, iv. per index.

whose name has not been discovered, and secondly, Isobel Forman, with issue by both :—

(1) *Cuthbert*, by first wife, killed at Flodden 9 September 1513.[1] He married Elizabeth Martin of Medhope, and had issue three daughters, *Elizabeth*, married to Sir Robert Logan of Restalrig, *Alison*, married to Walter Ogilvy of Dunlugus, and *Katherine*, who died unmarried before February 1532-33, while her sisters were married before December 1533.[2]

(2) *Adam*, by first wife, who married Janet Edmonstone, daughter of James Edmonstone of that Ilk, and had issue two sons, *Thomas* and *Edward*.[3]

(3) *John*, by second wife, of whom nothing further has been ascertained.

(4) *Alison*, married to Sir William Sinclair of Roslin.[4]

(5) *Helen*, of whom nothing further is known.

Lord Home married, secondly, Margaret Montgomerie, only daughter of Alexander, Master of Montgomerie, and had issue :—

5. *Sir Thomas* of Langshaw, in Ayrshire, who had a charter to Thomas, son of Alexander, Lord Home, of the lands of Castletoun, Langshaws, Gallobraes, and others, in the lordship of Ayr, with reservations to his father and Margaret Montgomery, his mother, 14 October 1476.[5] He married, first, Janet Rynd, and had a confirmation charter to himself and to her of the said lands 25 May 1498.[6] Sir Thomas married, secondly, Alison Colquhoun, and had a charter to himself and to her of part of the same lands 10 June 1505.[7] He had issue by his first wife :—

   (1) *Nicholas*, who had a charter of lands in Makbehill to him and his wife Mariota Bothwell, 3 September 1507.[8]

6. *Nicholas*.
7. *David*.

II. ALEXANDER, second Lord Home, grandson of the first holder of the title, was served heir to his grandfather in 1492. He took an active part in political affairs, and was concerned in the Duke of Albany's intrigues in Scotland in 1482-83.[9] He was a Commissioner to settle disputes on

[1] *North Durham Gen. Hist.*, p. vii. [2] *Acta Dom. Conc.*, xviii. (2), 252 ; *Acta Dom. Conc. et Sessionis*, ii. 85; iii. 110. [3] *Reg. Mag. Sig.*, 1 July 1513 ; *Acts and Decreets*, xxix. 73. [4] *Ibid.*, 27 November 1526; *Acta Dom. Conc. et Sess.*, iii. 110, where she, her brother John, mother and sister are named. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.* [9] *Exch. Rolls*, ix. Preface ii.

the Marches, 18 October 1484, and to treat for a truce with England, April 1485. He took a leading part in the events that led to the battle of Sauchieburn, and with his uncle, Patrick Home of Fastcastle, and his cousin, Lord Hailes, was an envoy to England, sent by the party of the Prince, afterwards King James IV. At that battle, 11 June 1488, he, with Lord Hailes, led the van of the army, composed of Home and Hepburn spearmen, which defeated King James III., and placed his son on the throne.[1] On the accession of King James IV. he was sworn a Privy Councillor, and on 7 October 1488 was constituted Great Chamberlain of Scotland for life.[2] On 23 October of the same year he was one of the Commissioners who signed a three-years' truce with England.[3] He was appointed Warden of the East Marches for seven years 25 August 1489.[4] He had the custody of Stirling Castle, and governance of King James's brother, John, Earl of Mar and Garioch, committed to him, 10 January 1489-90, and the revenues of the earldom of Mar and Garioch assigned to him for the expenses of the appointment.[5] Alexander Home was appointed Bailie of Ettrick Forest and Keeper of Newark Castle 12 January 1489-90, and Steward of Dunbar 28 April 1491.[6] He had charters of Bardstoun, in Carrick, and a house in Edinburgh, forfeited by Ramsay, Lord Bothwell, 1 November 1488; Touchadam, in Stirlingshire, 11 April 1489; Maw, in Fife, 21 May 1489; Greenlaw and others, in Berwickshire, 21 October 1489;[7] Chirnside, Letham, Howlawis, Manderston, Mersington, and Hassington, uniting them into the barony of Home, 4 January 1489-90, with remainder to his sons, in order, and failing them, to his brother John Home of Ersilton; and another charter of the lands of Upsettlington and Todrig 4 July 1491.[8] All these honours and lands came to him before his accession to the title. He had a safe-conduct, with other nobles, from Henry VII. for a journey to England 4 August 1492.[9] As Lord Home he had charters of Inverallon in Stirlingshire 22 March 1492-93, of Greenwood in Roxburghshire, Thornton in Renfrew-

[1] Chalmers's *Caledonia*, ii. 282. [2] *Reg. Mag. Sig.* [3] *Cal. Doc. Scot.*, iv. 1545. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.* [9] *Rotuli Scotiæ*, ii. 505b.

shire, Bedshiel in Berwickshire, in May and June 1494.[1] He had a charter to himself and his wife Nichola Ker of the lands of Samuelston from her father George Ker of Samuelston, with consent of his wife Mariot Sinclair, 30 October 1497.[2] King James IV. paid Lord Home a visit, at Home Castle, 13 November 1496.[3] On the 13 December he was at Dunglas.[4] On 10 December 1502 Lord Home was present in Glasgow Cathedral, when an oath was taken by King James to observe the treaties of peace with England.[5] On 20 December the same year he was a Commissioner to exchange the ratifications of the treaties of peace and of marriage between James IV. and Princess Margaret, sister of Henry VIII.[6] Lord Home was in the Council at Edinburgh which assigned Queen Margaret's dower lands, 24 May 1503,[7] and in Parliament when her dower and marriage gift were confirmed 13 March 1503-4.[8] Lord Home died 9 September 1506; on 29 of that month his son was granted by the Earl of Bothwell brieves of inquest upon the lands in Berwickshire pertaining to him by reason of the decease of his father.[9] Lord Home married, first, Isobel Douglas, of what family is not known, but as they were related in the third and fourth degrees of consanguinity, a divorce was pronounced between them 30 May 1476.[10]

He married, secondly, Nichola Ker, daughter and heiress of George Ker of Samuelston, and by her, who was married, secondly, to Sir Alexander Ramsay of Dalhousie,[11] and died shortly before 2 January 1527-28, had issue:—

1. ALEXANDER, third Lord Home.
2. GEORGE, fourth Lord Home.
3. *John*, Abbot of Jedburgh. He had four natural sons, *John*, *Alexander*, *Matthew*,[12] and *John*.[13]
4. *Patrick*.
5. *William*, executed in Edinburgh the day after his brother Alexander, Lord Home, on 9 October 1516.
6. *Andrew*.
7. *David*, Prior of Coldingham, who was murdered by Ninian Chirnside and his accomplices in 15—. His murderers, Ninian Chirnside and William Cockburn,

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Exch. Rolls*, xi. Pref. lx. [4] *Accounts of Lord High Treasurer*, i. cxliii. [5] *Cal. Doc. Scot.*, iv. 1691. [6] *Ibid.*, 1697. [7] *Ibid.*, 1706. [8] *Ibid.*, 1736. [9] *Twelfth Rep. Hist. MSS. Com.*, viii. 90-91. [10] *Ibid.*, 177. [11] Vol. iii. 92. [12] *Reg. Mag. Sig.*, 28 March 1549. [13] *Ibid.*, 20 April 1572.

tutor of Langton, were, by letters under the signet of King James v., at the instance of George, Lord Home, John Home, Abbot of Jedburgh, Elizabeth Home, Lady Hamilton, Marion Home, Countess of Crawford, his brothers and sisters, Janet Home, lawful daughter, John Home, Alison Home, and Isabel Home, son and daughters natural of the late Lord Home, brother-german of the late David Home, charged to appear before the King's Council to pay £20,000 Scots to complainers for the cruel slaughter of the said late David, Prior of Coldingham, the letters being dated Edinburgh, 10 January 1533-34.[1]

8. *Elizabeth*, said to have been married, first, to Thomas, son and heir of John, Lord Hay of Yester, and on his supposed death to have married, secondly, James, Lord Hamilton, created Earl of Arran. (*See title* Hamilton, where her marriage and divorce are fully discussed.) Elizabeth Home retained the title of Lady Hamilton till her death in 1544. Her brother George, Lord Home, was served her heir in the lands of Friarness, in Lauderdale, in 1546.[2]
9. *Mariota*, who married John, Earl of Crawford, who fell at Flodden 9 September 1513. They had no issue. Mariota, Countess of Crawford, had a charter from her husband, then designed Master of Crawford, 2 August 1493, of lands of Glenesk, in Forfarshire, 'to Mariot Home, daughter of Alexander, Lord Home.' She survived her husband, and had a charter of the lands of Inverquoich, in Perthshire, apprised by David, Earl of Crawford, 10 April 1527.[3]
10. *Nichola*, married, first, as his third wife, to Andrew, second Lord Herries; and, secondly, to Patrick Hepburn of Bolton, second son of Patrick Hepburn, first Earl of Bothwell. (*See that title.*)

III. Alexander, third Lord Home, was served heir to his father 18 and 22 October 1506.[4] As Master of Home his name appears in the list of the household of King James iv., holding the office of Cupbearer, with a fee of £10.[5] He had

[1] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 161. [2] *Ibid.*, 157. [3] *Reg. Mag. Sig.* [4] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 139, 178. [5] *Exch. Rolls*, ii. Pref. xxxvii.

charters of the lands of Ewisdale and others in Dumfriesshire 20 April 1506,[1] and after his accession to the title the mains of Gordon, half of Fogo, and Huntleywood, from Alexander, Earl of Huntly, 26 January 1506-7, in which charter he is designed Chamberlain of Scotland, to which office he was appointed on his father's death.[2] He had a Crown charter of the baronies of Home and Dunglas, of lands in Sisterpath, Kello, and others in the county of Berwick; the lands and baronies of Hassingdean and Broxfield, in the county of Roxburgh; the lands of Inverallon, co. Stirling; the lands and barony of Hownam Mains and others in Roxburghshire; the lands and lordship of Ewisdale, etc., in Dumfriesshire; and the lands of Maw in Fife, 4 February 1509-10. He is designed therein Alexander, Lord Home, Great Chamberlain of Scotland, and Warden of the East and Middle Marches.[3] He had a charter of Greenlaw, united to the barony of Home, 20 June 1512.[4] On 25 October 1512 he had a charter of the lands and forest of Tynnes, in the forest of Ettrick.[5] When war with England was imminent, Lord Home, with some three thousand men, made an inroad into England, a month before the battle of Flodden, and when returning after a successful expedition he was attacked suddenly at Millfield by the English, and completely routed, with the loss of one thousand killed and wounded. Lord Home himself had to fly, losing his banner, and his brother George was taken prisoner.[6] At the fatal battle of Flodden, 9 September 1513, Lord Home, with Lord Huntly, commanded a division of the Scottish army, and defeated the right wing of the English forces under Edmund Howard, a success which was unavailing to change the fortunes of the day. Many of Lord Home's name and kin fell, although suspicions were put on him at a later period for not following up his success. At the convention that sat at Perth 19 September following Lord Home was present, and was appointed one of Queen Margaret's Council. In March 1513-14 he was appointed Justiciar south of the Forth.[7] He was foremost among the nobles who invited the Duke of Albany from France to oppose the English influence exercised through

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] *Ibid.* [5] *Ibid.* [6] *Cal. State Papers*, Scottish series, i. 6. [7] Chalmers's *Caledonia*, ii. 286.

Queen Margaret and her husband, the Earl of Angus; but he soon quarrelled with Albany, and he followed the Queen and Angus into England. He was induced to meet Albany at Dunglas in October 1515, when he was seized and sent prisoner to Edinburgh Castle, then under the charge of the Earl of Arran, who had been his brother-in-law. Lord Home induced Arran to escape with him into England, but in March 1516 he made peace with Albany, and resumed possession of his estates. This reconciliation, however, was insincere, and Lord Home and his brother William venturing to Edinburgh in the following September, were arrested, tried for high treason, and executed; Lord Home, 8 October 1516, and his brother, William Home, on the day following. Their heads were exposed on the Tolbooth of Edinburgh, where they remained until 1520, when, during the absence of the Regent Albany in France, Angus for a time gained possession of Edinburgh, and George Home, Lord Home's brother, and others of the name, came and took down the relics, and interred them with funeral honours in the Black Friars.[1] Lord Home's title and estates were forfeited. He left no son to succeed him, but ultimately his title, and most of his estates, were restored to his brother George.

Lord Home married, before February 1514, Agnes Stewart, widow of Patrick, second Earl of Bothwell, who was killed at Flodden 9 September 1513. (*See title* Bothwell, where her other marriages are set forth.) By her Lord Home had issue, an only child:—

Janet, married to Sir John Hamilton, natural son of James Hamilton, first Earl of Arran. Her uncle, George, fourth Lord Home, bestowed on her the lands of Samuelston in East Lothian, she renouncing all rights she had through her grandfather, the late Alexander, Lord Home, or Nichola Ker, her grandmother, 24 August 1531.[2]

Lord Home had three natural children, of whom the son, and possibly the two daughters, were by Katharine Stirling, daughter of Sir William Stirling of Keir, who was at one time contracted, or married, to Archibald, fifth Earl of Angus:[3]—

[1] Lesley, 116, quoted in Pitcairn's *Crim. Trials*, i. 233 *note*. [2] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 162. [3] See that title, also Fraser's *Stirlings of Keir*, 27, and his *Douglas Book*, ii. 108-109.

1. *John Home*, who, on 11 June 1513, had a grant from his father of the lands of Inverallon, in Stirlingshire,[1] renewed on the 21 August 1541 by Alexander, Master of Home.[2] The lands granted by Lord Home fell to the Crown on the death of John Home in 1557, he being a bastard (though he was legitimated on 9 July 1510), and without lawful issue, and having made no disposition of them in his lifetime, they were granted by Queen Mary to Sir James Stirling of Keir.[3] John Home, designed natural son of the deceased Alexander, Lord Home, had a charter of lands in Greenlaw for his services against the English from King James v., 20 August 1533.[4] On 15 February 1533-34 he had also a charter of the lands of Huttonhall, in Berwickshire, resigned by his sister Elizabeth, natural daughter of Alexander, late Lord Home, from that King.[5]

   He had a natural son, *Alexander*, designed of Huttonhall in a charter from King James vi. granting him the lands of Inverallon in Stirlingshire, 21 May 1574, wherein he is designed natural son of the deceased John Home of Huttonhall.[6]

2. *Alison*, whose name appears as natural daughter of the late Alexander, Lord Home, in royal letters summoning the murderers of the late David, Prior of Coldingham, at the instance of his next-of-kin, to appear, and give compensation.[7] In 1526 a sum of money was due by Sir John Stirling of Keir to Alison, daughter of the late Alexander, Lord Home.[8] She married Henry Wardlaw of Torrie, and had with him a charter, 31 October 1536, confirmed 6 September 1546, one of the witnesses being Sir John Stirling of Keir, and the other no less a person than John Knox.[9]

3. *Isobel*, also in the above royal letters designed natural daughter of the late Alexander, Lord Home, but as the names Isobel and Elizabeth were interchangeable, she was probably the same person as Elizabeth,

[1] Fraser's *Stirlings of Keir*, 296. [2] *Reg. Mag. Sig.* [3] *Ibid.*; *Reg. Sec. Sig.*, i. No. 2090. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Ibid.* [7] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 161. [8] *Acta Parl. Scot.*, ii. 310. [9] *Reg. Mag. Sig.*

natural daughter of the late Alexander, Lord Home, who had a charter of the lands of Huttonhall 22 January 1531-32, which lands she resigned to her brother John Home on 15 February 1533-34.[1] She had a charter with him of the lands of Mellerstain 18 February 1537.[2]

IV. GEORGE, fourth Lord Home, was restored to the title forfeited by his brother the third Lord, and to such of his estates as were in the hands of the Crown, 12 August 1522, which was confirmed by the Parliament of 20 June 1526.[3] He was accused of treason in the same Parliament for not assisting the Earl of Angus in his duties as Warden of the Marches, but was acquitted.[4] In the following month Lord Home and his followers were with the Earl of Angus in the combat at Darnick, near Melrose, when the Scotts of Buccleuch endeavoured to free the young King James v. from the Douglases, but were defeated by Angus. On 9 October 1528, the King having thrown off the authority of the Earl of Angus, made an agreement with Lord Home and his kin for the expulsion of the Douglases from their Berwickshire possessions.[5] On 6 September 1529 George, Lord Home, was appointed Royal Lieutenant within the bounds of the Merse, Lauderdale, Teviotdale, and East Lothian, for preserving peace and resisting rebels.[6] During the King's visit to the Borders in 1529 Lord Home, who probably did not approve of his severe measures, was warded in Edinburgh Castle.[7] On 22 July 1535 the King gave a charter to Lord Home and Marion Haliburton, his wife, in liferent, and to Alexander Home, their son, in fee, of a third part of Dirleton, and other lands, in Haddingtonshire, of Halyburton and Lambden in Berwickshire, Segie in Kinross-shire, Balgarno and others in Perthshire, and Broxfield in Roxburghshire.[8] By another charter to George, Lord Home, in liferent, and his son Alexander in fee, the King granted the lands and baronies of Home, etc., in Roxburghshire, Ewisdale, Mospaul, etc., in Dumfriesshire, Maw in Fife, Samuelston and Leyhouse in Hadding-

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Acta Parl. Scot.*, ii. 308. [4] *Ibid.*, 303. [5] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 172. [6] *Ibid.*, 183. [7] Tytler, *Hist. Scot.*, v. 193. [8] *Reg. Mag. Sig.*

tonshire, and Tynnes in Selkirkshire, 1 April 1538.[1] In August 1542 Lord Home, with Lord Huntly, defeated the English under Sir Robert Bowes.[2] After the death of James v., in 1542, Lord Home voted for Arran as Regent, but signed the secret band in favour of Cardinal Beaton.[3] He was present at the fight at Ancrum Moor in February 1544-45, when the English were completely routed and their leaders, Evers and Layton, killed.[4] On 9 September 1545 the Regent and Lords of Council ordered a sum of £300 to be paid to George, Lord Home, to keep his castle of Home in a state of defence, 'he having no guidis left undestroyit to furniss it.'[5] The Earl of Hertford's second expedition into Scotland took place in this same month and year, and the list of places burned, destroyed, and laid waste by the English, up to the gates of Home Castle, contains the names of nearly all Lord Home's Berwickshire and Roxburghshire lands.[6] On 17 August 1546 Lord Home had a commission from the Regent as Warden of the East Marches for the space of one year.[7] In the army raised to resist Somerset's invasion of Scotland in 1547 Lord Home commanded a body of light horse, but was completely defeated by Lord Grey, in a skirmish at Fawside, 9 September, the day before the battle of Pinkie. Lord Home was severely wounded, and his son, the Master of Home, was taken prisoner.[8] He is said to have died of his wounds soon after, but this is a mistake, for he sat in Parliament in June 1548.[9] On 15 March 1548-49 Lord Home and his son, the Master of Home, were parties to a contract with the Queen-Dowager, the Regent Arran, the French lieutenant, and French ambassador, to deliver over to them and the Lords of the Privy Council the castle of Home for a time, to be kept in a state of defence, Lord Home and his son being so 'destroyit' they could not keep it in men, provisions, and munitions, but reserving to him the right to retain their dwelling-place therein.[10] Home Castle had been surrendered to Somerset

[1] *Reg. Mag. Sig.* [2] Tytler, *Hist. Scot.*, v. 245. [3] *Hamilton Papers*, i. No. 63. [4] *Ibid.*, ii. No. 420. [5] *P. C. Reg.*, i. 18. [6] Contemporary Account of Hertford's second expedition into Scotland. [7] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 183. [8] Patten's *Expedition into Scotland*, 46, 47. [9] *Acta Parl. Scot.*, ii. 480. [10] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 94-95.

shortly after the battle of Pinkie, by Marion, Lady Home, but was recovered by a stratagem, 26 December 1548.[1] Lord Home must have died early in 1549, as in the retour of service of his son, the fifth Lord, in April 1551, he is said to have died two years previously.[2]

The fourth Lord Home married, before 30 October 1531, Mariota Haliburton, second of the three daughters and co-heiresses of Patrick, last Lord Haliburton of Dirleton. She survived her husband, and had a charter of the mains of Restennet in Forfarshire on 19 May 1562. She died shortly after that date, as her son Andrew, Commendator of Jedburgh, on 27 February 1563-64 designs himself her executor.[3] They had issue:—

1. Alexander, fifth Lord Home.
2. *Andrew*, Abbot and Commendator of Jedburgh and Restennet. He was tutor and one of the curators to his nephew, the sixth Lord Home, in his minority, and was alive in 1589.[4]
3. *Margaret*, married, before 1563, to Sir Alexander Erskine of Gogar, brother of John, Earl of Mar, Regent of Scotland. (*See title* Kellie.)

V. Alexander, fifth Lord Home, was a prisoner in England for some time after the battle of Pinkie. He had a pass into Scotland with the Earl of Huntly from Somerset 6 December 1548, 'bondis' being taken for his re-entry.[5] He probably did not return, and he was one of the nobles who accompanied Mary of Lorraine on her visit to France in September 1550.[6] He had been appointed Warden of the East Marches in the previous April.[7] On 16 April 1551 he was served heir to his father, George, Lord Home, in his lands, and in the offices of Steward of Dunbar, Bailie of Coldingham, Eccles, and Dryburgh.[8] Lord Home had an annual pension from the King of France of 2000 livres, as appears from his appointing procurators to receive it, 7 January 1556-57,[9] This pension is referred to in an obligation 12 July 1549, in implement of the contract between the Queen-Dowager, the governor, the French lieutenant, and French ambas-

[1] *Diurnal of Occurrents*, 49. [2] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 97. [3] *Ibid.*, 150. [4] *Reg. of Deeds*, xxxiii. 299b. [5] *Hamilton Papers*, ii. 622. [6] *Diurnal of Occurrents*. [7] *P. C. Reg.*, i. 94. [8] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 97. [9] *Ibid.*, 184.

sador and the Chancellor, and Lords of the Privy Council, on the one part, and George, Lord Home, and his son, Alexander, Master of Home, on the other, who promised to deliver up the castle of Home to be maintained as a fortress against the English in consideration of a pension of 2000 merks Scots yearly from France during their lives, and to the survivor.[1] Lord Home had a commission appointing him Warden of the East and Middle Marches, dated at Home Castle by the Queen-Regent 21 October 1557.[2] He was one of the Scots Commissioners appointed to sign the treaty of Upsetlington, 21 May 1559,[3] and sat in the Reformation Parliament of 1560.[4] Lord Home was one of Queen Mary's supporters in her proposed marriage with Darnley, and it was reported he would be made Earl of March.[5] In November 1566, after the memorable visit made by Queen Mary to Jedburgh, she spent two nights at Home Castle.[6] Lord Home was one of the nobles who signed the 'Ainslie band' in favour of the Bothwell marriage 19 April 1567, but he shortly afterwards joined the Earl of Moray's party, and was in command of a body of horse at Carberry Hill, when the Queen surrendered to the Lords 15 June 1567.[7] He was one of the Lords who signed the warrant for the committal of the Queen to Lochleven, and received her demission of the Crown 25 July 1567.[8] He was present at the coronation of King James VI. at Stirling on 29 of the same month.[9] He signed the act against the Queen 4 December 1567, and commanded a body of horse and foot in the Regent Moray's army at the battle of Langside 13 May 1568, when he was wounded in the face and leg.[10] Lord Home received many marks of favour from the Regent, who gave him a charter, 26 December 1567, of the hereditary offices of Sheriff of Berwickshire and Bailie of Lauderdale, forfeited by the Earl of Bothwell.[11] In 1569 Lord Home returned to his old allegiance, and after Home Castle was surrendered to Sussex, whose army had overrun and destroyed the Borders in 1570, Lord Home retired to Edinburgh. He sat in the

[1] *Acts and Decreets*, xxvi. 65. [2] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 98, 99. [3] *Cal. Scot. Papers*, i. 213. [4] *Ibid.*, 458. [5] Randolph to Cecil, *ibid.*, ii. 173, 174. [6] Sir James Melville's *Memoirs*, 62. [7] *Cal. Scot. Papers*, ii. 322, 332. [8] *P. C. Reg.*, i. 531. [9] *Ibid.*, 537. [10] *Cal. Scot. Papers*, ii. 398, 406. [11] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 111.

Marian Parliament held there 13 June 1571.[1] He joined Kirkcaldy of Grange and Maitland of Lethington in holding out in Edinburgh Castle for Queen Mary, his wife and his stepson Robert Logan of Restalrig being with him. When the castle surrendered to Elizabeth's troops 28 May 1573 Lord Home was delivered up to the Regent Morton, who kept him a prisoner until 2 June 1575, when he was 'relevit out of the Castell of Edinburgh and wardit in his awne lugeing in the heid of the [Black] Freir Wynd.'[2] He was carried thither in a bed, and died in the month of August following. He was convicted of treason in the Parliament of October 1573, and his title and estates were forfeited.

Lord Home, while Master of Home, had been contracted in 1537 to a natural daughter of King James v. by Elizabeth Beaton, whose Christian name is not given. A gift of the casualty of his marriage was granted in 1550 to himself by the Queen-Dowager, to which she had right, from the gift to her of the late Margaret Stewart, who had received the same from King James v., but it is not certain that this Margaret was the natural daughter above mentioned.[3] The contract was never carried out, and Lord Home married, first, Margaret, daughter of Sir Walter Ker of Cessford, with whom he had a charter of the lands and barony of Broxfield in Roxburghshire, to them and their heirs, 4 February 1557-58.[4] Lady Home died before 1565, as appears from the confirmation charter of the same lands to her daughter. By her Lord Home had issue:—

1. *Margaret*, who had a confirmation charter of the lands and barony of Broxfield 5 December 1565.[5] She married, before February 1582-83, George, fifth Earl Marischal, and had issue.[6]

Lord Home married, secondly, before 3 May 1568, Agnes, daughter of Patrick, Lord Gray, widow of Robert Logan of Restalrig and Fastcastle, and mother of the Robert Logan of Restalrig and Fastcastle who was accused of complicity in the Gowrie conspiracy. Her first husband died in September 1561.[7] Alexander, Lord Home granted

[1] *Cal. Scot. Papers*, iii. 604. [2] *Diurnal of Occurrents*, 348. [3] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 80, 94. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] Cf. *Hist. MSS. Com.*, App. viii. 103. [7] *Rep. Hist. MSS. Com.*, *MSS. of Colonel Milne Home*, 123.

a charter to his wife Dame Agnes Gray, in liferent, of the lands of Aldcambus and others in the barony of Coldingham, at Fastcastle 3 May 1568.[1] Dame Agnes Gray, Lady Home, married, thirdly, Sir Thomas Lyon of Baldukie. (*See title* Strathmore.) By her, who was living 9 January 1580-81, Lord Home had issue:—

2. Alexander, sixth Lord and first Earl of Home.
3. *Isobel*, married to Sir James Home of Eccles, Commendator of the Priory of Eccles, second son of Sir James Home of Cowdenknows,[2] and had issue.

The fifth Lord Home had a natural son *John*, Provost of Dunglas.[3] He is referred to in Lord Home's will dated at Edinburgh in 1575.[4] He died before 4 July 1579.[5]

VI. Alexander, sixth Lord and first Earl of Home, was restored by special Act of Parliament to the forfeited title and estates of his father on 25 July 1578.[6] On 16 February 1570-71, he chose curators, probably because his father was in prison, and on 30 May 1578 his uncle Andrew, Commendator of Jedburgh was appointed his tutor.[7] He was retoured heir to his father 17 November 1580. The possession of Home Castle was for some time a subject of dispute between Lord Home's uncle and tutor, Andrew Home, Commendator of Jedburgh Abbey, and Agnes Gray, Lady Home, Lord Home's mother, and her husband, Sir Thomas Lyon of Baldukie, to whom the keeping of the castle had been committed by the Regent Morton, but it was finally given up by them to Lord Home and his tutor in December 1579.[8] In 1582 Lord Home, who is designed Warden of the East Marches, was appointed Commissioner of Justiciary within his own lands.[9] He signed the 'secret band' of the 'Ruthven raiders,' as did most of his name of any importance, to overthrow the Duke of Lennox and Stewart, Earl of Arran.[10] On 10 November 1587 Lord Home had sasine given of the lands of Ulston, Overmains of Ulston, and other lands in the sheriffdom of Roxburgh; and of the mains

[1] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 108. [2] *P. C. Reg.*, 2nd ser. vol. i. cxxiv.; *Twelfth Rep. Hist. MSS. Com.*, App. viii. 130, 131, 169. [3] *Cal. Scot. Papers*, iv. 555. [4] *Hist. MSS. Com., MSS. of Colonel Milne Home*, 240, 241, 242. [5] *Ibid.*, 48. [6] *Acta Parl. Scot.*, iii. 108. [7] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 99, 100. [8] *P. C. Reg.*, iii. 50, 238, 244, 250. [9] *Ibid.*, 501. [10] *Ibid.*, 507 *n.*

lands of Restennet with loch and eel-nets of the same, in the sheriffdom of Forfar; which lands were held in feu-farm of the abbot and convent of Jedburgh.[1] He at one time incurred the King's displeasure by favouring Francis, Earl of Bothwell, but later he rendered efficient help in freeing the royal person from that extraordinary adventurer, and had a grant of the benefice and commendatorship of the dissolved priory of Coldingham, forfeited by Bothwell 10 August 1592.[2] In the same year Lord Home, by the resignation of Ludovic, Duke of Lennox, in his favour, was appointed Sheriff of Berwickshire.[3] He was appointed Captain of the King's Guard in September 1593, in place of Lord Ochiltree, an accomplice of Bothwell.[4] Lord Home was a Catholic, and therefore an object of suspicion to the General Assembly. He had been excommunicated by that body, but was released in May 1594 by his public submission, renewed confession of the Protestant faith, and oath to abide in it.[5] In 1602 the General Assembly advised that he should be removed with some other nobles, whose faith was suspected, to Edinburgh, there to be visited by ministers, and this was confirmed by the Privy Council.[6] Later in the same year, the reports from the ministers not being satisfactory, it was ordered that a resident minister for three months be appointed.[7] On 12 July Lord Home was sent as ambassador to France, and was graciously received by Queen Elizabeth on his way through England.[8] On the accession of King James VI. to the English throne, Lord Home, after entertaining him at Dunglas on his way south, accompanied him to London, and was sworn an English Privy Councillor at Theobalds in May 1603.[9] He was appointed to the general lieutenancy of the marches July 1613.[10] He is stated in a letter of the Master of Gray, dated 23 November 1600, to have declined the offer of being created Earl of March on 16 November previous,[11] but on 4 March 1604-5 he was created EARL OF HOME and LORD DUNGLAS, with remainder to his heirs-male whatsoever; he had charters of the barony of Jedburgh

[1] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 151. [2] *Reg. Mag. Sig.* [3] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 112. [4] Lang's *Hist. Scot.*, ii. 376. [5] *P. C. Reg.*, v. 145. [6] *Ibid.*, vi. 380. [7] *Ibid.*, 477. [8] *Border Papers*, ii. 791, 799. [9] *P. C. Reg.*, vi. 833, 834. [10] *Ibid.* [11] *Hatfield Papers*, x. 390, *Hist. MSS. Com.*

10 March 1606, of the lands which formerly belonged to the benefices of Coldingham, and Jedburgh, united into the temporal lordship of Coldingham 20 May 1610, and of East Gordon and Fogo 7 February 1612.[1] He is designed in various charters as EARL OF HOME, LORD DUNGLAS, JEDBURGH, and COLDINGHAM. Lord Home's passion for sport, of which there are several instances, was one bond of the friendship between him and King James, a friendship which seems to have been lasting. Lord Home died in London 5 April 1619, aged fifty-two, and was buried at Dunglas in the following May.[2] In 1582 William, Earl of Gowrie, who had the casualty of Lord Home's marriage, offered the choice of one of his two daughters, Dorothy and Lilias Ruthven, to Lord Home as his future wife. Lord Home promised to return an answer, and there the story of this curious custom of feudal times ends. Lord Home did not marry either of the ladies.[3] He married, first, 9 January 1585-86. Christian, daughter of William Douglas of Lochleven, afterwards Earl of Morton, and widow of Lawrence, Master of Oliphant, who died in March 1584.[4] She had a charter of the barony of Dunglas 29 November 1586.[5] By her Lord Home had no issue. He married, secondly, before 28 June 1607, Mary or Marie Sutton, eldest daughter of Edward, ninth Lord Dudley. She had a charter of the barony of Dunglas for life 28 June 1607.[6] She was born 2 October 1586, and died, 24 May 1645, in London. By her Lord Home had issue:—

1. JAMES, second Earl of Home.
2. *William*, named in his father's will of 1616, but must have died young.[7]
3. *Margaret*, married to James, fifth Earl of Moray, and had issue.
4. *Anne*, married, as his first wife, to John, Earl, afterwards Duke, of Lauderdale. She died at Paris about 1671.

Lord Home had a natural son *William* Home, designed Provost of Dunglas, who was witness to Lord Home's will 20 February 1616.[8]

[1] *Reg. Mag. Sig.* [2] Funeral entry in Lyon Office. [3] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 103. [4] Her contract of marriage with Lord Home is dated 14 December 1585, and was ratified 17 March 1588. *Reg. of Deeds*, xxviii. 246b, 346b. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] *Rep. Hist. MSS. Com., MSS. of Colonel Milne Home*, 243. [8] Copy will, *ibid.*

VII. JAMES, second Earl of Home, known as Lord Dunglas in his father's lifetime, was a minor when he succeeded to the title in 1619, and his mother Marie Sutton, Countess of Home, was appointed by her husband's will sole tutrix to him and her other children. In November 1619 Lady Home and her son granted a deputation to Sir David Home of Wedderburn, to take order with their tenants and vassals in their absence from England. There is a similar deputation in 1624, dated Twickenham Park.[1] He was served heir of his father 28 September 1620 and 25 April 1621. He had a charter of the barony of Hirsel 28 June 1621,[2] and a charter of the barony of Home 12 March 1624. On 30 March 1621 Lord Home, with consent of his mother, made a contract with 'Harie' Stewart, son of the deceased Francis, Earl of Bothwell, for the sale to him of his lands, lordship, and barony of Coldingham, with certain reservations,[3] which was confirmed, on 20 December of the same year, by King James VI.[4] On 4 August 1621 the grant of lands of the abbacy of Jedburgh and priory of Coldingham made to Alexander, Earl of Home, was confirmed to his son by Act of Parliament.[5] On 22 January 1624 Lord Home had a charter from King James VI. of the whole lands and teinds of the abbacy of Jedburgh and priory of Canonbie, etc., and on 27 July of the same year he, with consent of his curators, resigned the lands of Jedburgh, etc., into the hands of the King in favour of Sir John Ker of Jedburgh, Knight.[6] Lord Home was present at the funeral of King James VI. at Westminster Abbey 25 May 1625.[7] Lord Home went to London, apparently to Court, in the end of the year 1631, and there were frequent entries in his accounts of the changing of money, and procuring 'gold' to send up to him in London. He had, to judge from other entries, an interest in sport, and in the care of his horses and hounds.[8] He died in London 13 February 1633, without issue. His eldest sister, Margaret, Lady Doune, afterwards Countess of Moray, was served his heir of provision in his lands in the counties of Berwick, Haddington, Roxburgh, Selkirk, and Stirling, 2 August 1633; and his two sisters, Margaret, Countess of

[1] *Rep. Hist. MSS. Com., MSS. of Colonel Milne Home*, 87, 88. [2] *Reg. Mag. Sig.* [3] *Ibid.*, 198. [4] *Ibid.* [5] *Acta Parl. Scot.*, iv. 636-639. [6] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 152. [7] *P. C. Reg.*, 2nd ser., vol. i. 33 *n.* [8] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 109.

Moray, and Anna, Lady Maitland, were served his heirs in the lands of Nenthorne 1 July 1641.

He married, first (contract dated at Edinburgh 10 August 1622), Catherine Carey, eldest daughter of Henry, first Viscount Falkland. She had a charter of the dominical lands of Home, with the castle of Home, etc., and the lands of Exmuir, Falsydehill, Howlaws, and others, and the dominical lands and town of Ladykirk 28 August 1622.[1] She died before 8 May 1626, without issue. Lord Home married, secondly, Grace Jane, daughter of Francis, first Earl of Westmoreland; she is said to have been born in 1603. She had a charter of the same lands, in the same terms, as those granted to Lord Home's first wife, confirmed by King Charles I. 20 September 1627.[2] Lord Home had no issue by her, who survived him, and died at Apethorpe between 20 April and 13 May 1633, on which dates respectively her will was dated and proved. On 12 July 1637, her mother, Lady Westmoreland, brought an action as her executrix against the Countess-Dowager of Home, demanding the production and cancelling of the alleged testament of her son the deceased Lord Home. Several bonds to Lord Home are mentioned.[3] The case was continued, and on 29 July 1637 the Lords assoilzied the defenders, finding that within this realm every man has a right to bestow and administer his goods as he pleases.[4] On 19 December 1638 Lady Westmoreland brought an action for payment to her of half of the estate of the deceased James, Earl of Home.[5] The titles devolved on the heir-male, descended from

John Home of Ersiltoun, Whitrig, and Crailing, second son of Alexander Home, eldest son of Alexander, first Lord Home, and younger brother of Alexander, second Lord Home, Great Chamberlain of Scotland, whose male line ended in James, second Earl of Home. John Home had a charter, not dated, but inserted in the record of 1472 of the lands of Crailing in Roxburghshire, to John Home, brother-german of Alexander Home, grandson of Sir Alexander Home of that Ilk (created Lord Home in 1473) and his heirs-male, with remainder to Alexander Home, junior,

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Reg. of Deeds*, ccccxcii. 423. [4] *Ibid.*, D. 364. [5] *Ibid.*, DIV. 138-143.

George Home, Patrick Home, Thomas Home, his uncles, etc., and their heirs-male.[1] On the 30 April 1479 he resigned into the hands of his brother Alexander the whole of the lands of Crailing, reserving a reasonable terce to his wife Margaret Ker.[2] He had a charter from Walter Ker of Cessford of the whole lands of Smailholm in Roxburghshire in exchange for the lands of Crailing 24 May 1484.[3] On 26 November 1489 King James IV. granted to him the lands of Ersiltoun, Broderstanis, Whitrig, and others, which the King united into the barony of Ersiltoun, creating the 'villa' of Ersiltoun into a free burgh of barony.[4] He was one of the ambassadors sent to England 22 October 1491.[5] On 17 October 1492 he was one of the commissioners appointed by King James IV. to treat for a truce with the English commissioners at Coldstream.[6] The date of his death seems uncertain, but in a charter to his second son John, 22 June 1493, he is referred to as deceased.[7] He married Margaret Ker, daughter of James Ker of Gateshaw (contract dated at Kelso 20 March 1471-72). Her tocher was 200 merks, but if John Home became heir to Alexander Home (of that Ilk, afterwards Lord Home) his brother, a further sum of 400 merks was to be paid.[8] By her he had issue:—

1. Mungo or Kentigern.
2. *John*, who had a charter of the lands of Synlaws in Roxburghshire 22 June 1493.[9] He fell at Flodden 9 September 1513.[10]

Mungo Home, as heir of his father, had sasine of the lands of Ersiltoun, Brotherstanes, and Whitrig, with others 11 November 1493.[11] On 28 October 1494 he had sasine of the lands of Smailholm.[12] On 4 March 1505-6 he had a charter from King James IV. of the lands and barony of Ersiltoun, with the dominical lands called 'Coldaneknollis,' with fortalice and manor thereon, which the King united to

[1] *Reg. Mag. Sig.* [2] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 121. [3] *Ibid.* [4] *Reg. Mag. Sig.* [5] *Cal. Doc. Scot.*, iv. 1577. [6] *Ibid.*, iv. 1585. [7] His name last appears in a safe-conduct granted to his brother, Lord Home, to proceed with him on a journey to England 4 August 1492 (*Rotuli Scotiæ*, ii. 506a), though the document is erroneously given in Rymer's *Fœdera* (xii. 548) on 4 August 1493. [8] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 89. [9] *Reg. Mag. Sig.* [10] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 179. [11] *Ibid.*, 119. [12] *Ibid.*, 163.

the barony of Ersiltoun.[1] He married Elizabeth Stewart, illegitimate daughter of James Stewart, Earl of Buchan, by Margaret Murray. The marriage took place before 11 March 1507, when a decreet was granted for payment of 400 merks to Mungo Home of Coldaneknollis in name of tocher for the contract of marriage between him and Elizabeth Stewart.[2] Mungo Home died before Whitsunday 1513, as appears from a charter to his second son Alexander of the lands of Mertoun 5 May 1534.[3] His widow, Elizabeth Stewart, lady of Coldaneknollis, married, secondly, as his second wife, Patrick Sinclair, *familiaris servitor* to King James IV., and a confidential messenger of Queen Margaret Tudor, in her intercourse with her brother Henry VIII.

1. Sir John.
2. *Alexander*, who had a charter of apprising of part of the lands of Merton in Berwickshire 5 May 1534.
3. *Helen*, married to James Hamilton of Innerwick, by whom she had issue. They had a charter of the lands of Braidwood in the barony of Innerwick, Renfrewshire, 18 August 1531.[4] James Hamilton fell at the battle of Pinkie 10 September 1547.[5]
4. *Isobel*, married to William Haig of Bemersyde, who fell at Flodden 1513.

Sir John Home of Cowdenknows, by a retour of inquest made at Jedburgh 28 July 1523, was declared nearest lawful heir to his uncle John Home of Synlaws, who fell at Flodden 9 September 1513. He had sasine of the mains of Ersiltoun, called 'Coldaneknollis,' which had been in the hands of the King for thirteen years in July 1523.[6] On the 7 June 1527 he had sasine of the barony of Ersiltoun, which had been eighteen years in the hands of the King.[7] On 16 March 1524 the Laird of Cowdenknows appears among the gentlemen and chiefs of the Merse summoned to convene with the Earl of Angus for governing the Borders.[8] John Home was warded in Blackness during James V.'s visit to the Borders in 1529.[9] He was one of the jury that sat on the trial of John, Master of Forbes, 14 July

[1] *Reg. Mag. Sig.* [2] *Acts and Decreets*, xix. 274. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] Templelands Records, 1580-1610, MS. Gen. Reg. Ho., 19. [6] *Exch. Rolls*, xv. 609. [7] *Ibid.*, xv. 649. [8] *Acts and Decreets*, xxxv. 11, 13. [9] *Book of Carlaverock*, i. 181.

1537, and on that of Lady Glamis 17 July 1537.[1] He sat among the barons at a meeting of the Privy Council 3 August 1546.[2] When Somerset a few days after the battle of Pinkie appeared before Home Castle, the Laird of Cowdenknows was acting as one of the captains in charge of it, and agreed to its surrender, but delaying his appearance to make assurance with Somerset, Sir Ralph Vane, with two or three hundred horse, were sent from the English camp at Roxburgh, at three o'clock in the morning, to find him at his house; Cowdenknows, however, being warned, passed another way, and arrived at the camp in the meantime.[3] John Home was knighted by the Regent Arran at Jedburgh in 1552, when he and the Queen-Dowager, during their progress through the country, visited that place.[4] In the same year Sir John Home took an active part in the murder of Sir Walter Scott of Buccleuch in the High Street of Edinburgh, in revenge for the death of his father-in-law, Sir Andrew Ker of Cessford, killed in the combat near Darnick in 1526.[5] Sir John had a charter to himself in liferent and to James his son in fee of the lands of Ersiltoun, reserving the terce of his wife Margaret Ker, 24 March 1563.[6] He died before November 1573. He married Margaret Ker, daughter of Sir Andrew Ker of Cessford, to whom he granted a liferent of the lands of Syndlaws in Roxburghshire *in ejus pura virginitate* 3 November 1524.[7] By her he had issue:—

1. Sir James.
2. *Alexander*, who had a charter from Mark Ker, Commendator of Newbattle Abbey, of the lands of Letham Hoippis, in Peeblesshire, 26 June 1559, and another charter of the lands of Gartsherrie mains and others in Lanarkshire 20 July 1559.[8] He was Parson of Spot 26 May 1584.[9] As Parson of Dunbar he signed the Act of Uniformity 16 August 1584.[10] He exchanged the lands of Gartsherrie with Sir William Livingstone of Kilsyth and his son Sir William Livingston of Darnchester for their lands of Graden and Darnchester

[1] Pitcairn's *Criminal Trials*, i. 184, 190. [2] *P. C. Reg.*, i. 33. [3] Patton's Expedition. [4] Haynes, 140. [5] *Scotts of Buccleuch*, ii. 210. [6] *Reg. Mag. Sig.* [7] Confirmed 12 November 1537, *ibid.* [8] *Reg. Mag. Sig.* [9] *P. C. Reg.*, iii. 667. [10] *Ibid.*, iii. 704 *n.*

27 September 1595.[1] He married Janet Hamilton, and had issue a son *William*, designed of Darnchester and Graden.

3. *Mark*, whose name occurs before that of his brother William, both being designed sons of Sir John Home of Cowdenknows, in a summons of entry to underly the law for taking part in the slaughter of Alexander Haitlie, natural son of John Haitlie of Mellerstain, 5 April 1569. He and others were charged with 'invading' the Laird of Ferneyhirst on 20 August 1566.[2]
4. *William*, who had a confirmation charter of the kirklands of Bassendean in Berwickshire 25 February 1573-74.[3] He is therein designed brother-german of Sir James Home of Cowdenknows. He had a pension of 300 merks yearly from the rental of the monastery of Kelso to himself and his son George for their lives, and to the longest liver, and his heir for nineteen years, 5 June 1592.[4] He had a charter, 15 June 1592, of lands in Reidpath, part of the temporalities of the priory of Coldingham.[5] He married, first (contract 5 October 1568),[6] Marion Pringle, daughter of James Pringle of Wodehouse and Whytbank, and widow of George Pringle of Blyndlie, with issue.

   He married, secondly, before 2 January 1576-77,[7] Helen Edmestoun, daughter of John Edmestoun of that Ilk,[8] widow of Henry Haitlie, younger of Mellerstain.
5. *Isobel*, contracted to George Cranstoun, son and apparent heir of John Cranstoun of Corsbie, and failing George Cranstoun by death, to marry the next son of the said John Cranstoun. She was to be infeft in certain lands, and provision was made for obtaining a dispensation 25 August 1551.[9]
6. *Margaret*, contracted, 27 January 1551, to Henry Haitlie, son and apparent heir of John Haitlie of Mellerstain,

[1] Confirmed 17 December 1613, *Reg. Mag. Sig.* [2] Pitcairn's *Criminal Trials.* [3] *Reg. Mag. Sig.* [4] *Acta Parl. Scot.*, iii. 623. [5] *Reg. Mag. Sig.* [6] *Reg. of Deeds*, xvii. 372. [7] *Ibid.*, xv. 437. [8] *Ibid.*, viii. 393. [9] *Reg. Acts and Decreets*, xxvii. She may be the Isobel Home, Lady Corsbie, who was affianced to Mr. James Home, Rector of Hilton, son of Sir David Home of Wedderburn in 1598 (*Hist. MSS. Com., MSS. of Colonel Milne Home*, 57).

of whose marriage John Home of Cowdenknows had the gift, the marriage to take place when she attained the age of fourteen years.[1] This marriage did not take place. Margaret Home was married to William Turnbull, son and apparent heir of Sir Thomas Turnbull of Bedrule.[2] She had an antenuptial charter of the lands of Fulton and Crosscleuch, in the barony of Bedrule, which barony, by the same charter, was granted to William Turnbull and his heirs, with liferent to his father and mother, 20 January 1570-71.[3] William Turnbull, who died before 20 April 1584,[4] had by Margaret Home an only daughter *Margaret*, who married, before 14 June 1589, Robert Frenche of Thornydikes.

Sir James Home, designed of Synlawis, during his father's lifetime. He was one of the gentlemen knighted by Henry, Lord Darnley, at Stirling 25 May 1565, the day when Queen Mary created him Earl of Ross, and publicly announced her intention of marrying him.[5] Sir James was an adherent of the 'King's party,' as were most of his name, except their chief, Lord Home, and was made Warden of the East March by the Regent Moray 6 November 1573. He is designed Sir James Home of Cowdenknows, his father Sir John being dead.[6] On 2 June 1574 he had sasine, as heir of his father, in the lands of Wester Mersington, in the shire of Berwick.[7] On 15 October 1580 Sir James was appointed one of the gentlemen of the Chamber to King James vi.[8] He had a ratification of his charter of the barony of Blyth and other lands in the lordship of Lauderdale, as well as a third of the priory lands of Eccles, 24 October 1581.[9] He was one of the Ruthven Raiders in 1582.[10] When Arran returned to power in 1583, Sir James was warded in Blackness Castle, and ordered to deliver up the house and fortalice of Cowdenknows.[11] After the fall of Arran Sir James was on 1 December 1585 appointed Captain of Edinburgh Castle for life, with a payment of £800 monthly.[12] On Sir Robert

[1] *Reg. Acts and Decreets*, xxvii. 111. [2] 'Auld Bedrule' of the *Raid of the Reidswire*. [3] *Reg. Mag. Sig.* [4] *P. C. Reg.*, iii. 656. [5] *Cal. State Papers*, Scottish ser., ii. 161. [6] *P. C. Reg.*, ii. 300. [7] *Laing Charters*. [8] *P. C. Reg.*, iii. 323. [9] *Acta Parl. Scot.*, iii. 270. [10] *P. C. Reg.*, iii. 507 *n*. [11] *Ibid.*, iii. 663, 667. [12] *Acta Parl. Scot.*, iii. 403.

Carey's arrival at Berwick with Queen Elizabeth's letter of apology for the execution of Queen Mary, Sir James Home was sent, with Sir Robert Melville, to meet him at Foulden Kirk and prevent him coming to Edinburgh, 14 March 1587.[1] On 6 April 1592 Sir James, by the counsel and advice of his brother William Home of Bassendean and others, he then being ill, made a contract with his three sons for the disposition of his property. His wife, Dame Katherine Home, having recently died, he left his whole lands to his son John and his heirs, and with his consent sold to his son James his lands of Eccles, with the right he acquired thereto from the deceased Alexander, Lord Home, or Alexander Hamilton of Innerwick, or his deceased father, and he disponed to his son Harie and his heirs the lands of Bedrule, and that for all they could claim through the death of their deceased mother aforesaid, etc. (contract registered 11 July 1604).[2] He died shortly after, on or before 22 April 1592.[3] Sir James married (contract 13 August 1562) Katherine Home, daughter of John Home of Blackader.[4] By her Sir James had issue :—

1. Sir John.
2. *Sir James*, Commendator of Eccles, married Isobel, daughter of Alexander, fifth Lord Home,[5] and had issue :—
   (1) *Sir George*, designed of Pincartoun and Eccles, married Jean, daughter of Sir George Home of Pincartoun.[6]
   (2) *Alexander*.
3. *Harie*, who had a charter of the lands of East Moriestoun in the barony of Lauderdale 14 October 1600, granted by Sir George Home of Wedderburn, as appears from a charter granted to his son Mark, by King Charles I. 23 September 1631.[7] He had a charter of the ecclesiastical lands of Smailholm 17 February 1604.[8] He disponed the lands of Bedrule, left him by his father Sir James, to Walter Turnbull in 1594, charter confirmed 18 July 1605.[9] He married Margaret Sinclair, sister of Henry Sinclair of Whitekirk,[10] with issue.

[1] Carey's *Memoirs*. [2] *Reg. of Deeds*, ci., at date. [3] Robert Bowes to Lord Burghley. [4] *Reg. of Deeds*, vii. 192. [5] P. 463 *supra*. [6] Contract, 24 September 1614, Reg. of Hornings, Haddington, iii. f. 266. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] *Ibid.* [10] *Decreet Arbitral*, *Reg. of Deeds*, xcvii.

Sir James Home had a natural son *John*, who had letters of legitimation 24 February 1585-86.[1]

Sir John Home succeeded his father in April 1592. On 1 February 1590 he had a charter from his father of the lands and barony of Ersiltoun, the lands of Broderstanes and Whitrig, and lands in Merton and Todrig, signed at the Castle of Edinburgh.[2] He had a charter of lands in Ersiltoun on 18 June 1592.[3] He was one of the Commissioners appointed by Parliament 3 July 1604 to confer with the English commissioners on the proposed union of the two kingdoms.[4] On 16 June 1606 a contract dated London, 18 December 1604, was registered in Edinburgh between Alexander, Lord Home, on the one part, and John Home of Cowdenknows, with his son Sir James Home of Whitrig, on the other part, whereby Lord Home made provision for continuing the dignity of his house with the surname, and obliged himself to resign the lands and earldom, etc., in favour of John Home of Cowdenknows and his said son and the heirs-male of their bodies.[5] This contract was probably made in view of Lord Home's creation as Earl of Home, which took place a few months later on, 4 March 1604-5, and proved of great importance to James Home of Cowdenknows, Sir John's grandson, after the death of the second Earl of Home in 1633 without issue. Like many of the Berwickshire proprietors of that date, Sir John seems to have been in constant pecuniary difficulties, and his creditors, to judge from the Privy Council records, were numerous and pressing. He sold the lands of Syndlaws in Roxburghshire to James Ker of Spynie 18 November 1598.[6] On 7 June 1613 the grant by Sir John Home of the lands and barony of Ersiltoun with the manor and fortalice, and the lands of Broderstanes, Whitrig, Merton, and Todrig, made in the preceding year to John Nasmyth, Surgeon to the King, was confirmed to Nasmyth by King James vi.[7] Sir John Home died before 1629. He married, first, Marie Sinclair, daughter of John, Master of Caithness, and sister of George, fifth Earl of Caithness. She had a confirmation charter 1 July 1601, in conjunct fee and liferent with her husband of the

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] *P. C. Reg.*, vii. 5 *n.* [5] *Reg. of Deeds*, cxix., 16 June 1606. [6] *Reg. Mag. Sig.* [7] *Ibid.*

lands of Whitrig, terce being reserved to John Home's grandmother, Margaret Ker. The King also assigned to them the 'Eist Raik' of the lands of Ousbyr in the regality of Melrose and the lands of Park and Sorrowliesfield, and the lands of Smalhame Spittel.[1]

Sir John Home married, secondly, Beatrice Ruthven, daughter of William, first Earl of Gowrie. She had from Sir John an antenuptial charter dated 29 October 1608, in which she is designed Lady Beatrice Ruthven, Lady of Cousland, granting her the mains of Cowdenknows, with the manor and fortalice, and the town and lands of Ersiltoun.[2]

By his marriages Sir John had issue:—

1. Sir James of Whitrig, who predeceased his father. He married Anna Home, eldest daughter and co-heiress of George Home, Earl of Dunbar. She and her husband had a charter, 16 December 1613, of half of the baronies of Greenlaw and Reidpath, in Berwickshire, and many other lands in the same county, and in Haddingtonshire shared with her sister, Elizabeth, wife of Lord Howard de Walden.[3] A great part of these lands were sold by Lady Anna and her husband before his death, which took place between 30 June 1618 and 30 March 1620. Lady Anna must have died in the end of July or beginning of August 1621, as there is a reference to her funeral taking place 10 August 1621.[4] Sir James and Lady Anna Home had issue a son,

   James, afterwards third Earl of Home, born in June, July, or August 1615.[5]

2. *Sir Henry* of Herdrig, who is designed eldest son of Beatrix Ruthven and the deceased Sir John Home of Cowdenknows, in her renunciation, made with her, of their rights over Cousland, 19 July 1630.[6] He had a charter of the lands of Herdrig 10 July 1643.[7] He was Sheriff-depute of Berwickshire for many years. Sir Henry married, contract 28 November 1674,[8] Katherine Nisbet, daughter of Thomas Nisbet, third

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] *P. C. Reg.*, 2nd ser., ii. 477. [5] *Reg. of Deeds*, DXIII. f. 53-58. [6] *Edin. Sasines*, XVI. 189. [7] *Reg. Mag. Sig.* [8] *Ibid.*

son of Sir Philip Nisbet of that Ilk, and widow of Dickson of Belchester.

3. *John*, who had a charter from his nephew James, Earl of Home, to John Home himself, and Helena Belshes, his future wife, for their life, and to their eldest son and heirs, under reversion, of 24 husbandlands in Chirnside, 9 August 1636, confirmed 18 March 1646.[1] Helen or Helena Belshes was the daughter of John Belshes of Tofts, advocate, and widow of David Home of Ninewells, whom she married in 1628, and by whom she had issue.[2]

4. *Sir Alexander* of Halyburton, who was tutor, and afterwards factor and chamberlain, to his nephew, James, third Earl of Home. He had a charter of the lands and barony of Greenlaw, Bromehill, Blaissinbraid, etc., 1 March 1644.[3] He married Margaret Edmonston, daughter of Andrew Edmonston of that Ilk.

5. *Mark*, whose name occurs in the records of the Privy Council, for trespass on Lord Haddington's lands of Sorrolesfield 18 February 1630.[4]

6. *Margaret*, married, first, contract 6 March 1601, to Sir Mark Ker of Littledean, eldest son of Sir John Ker of Hirsel. She was married, secondly, contract 6 March 1607, to David Home, son and apparent heir of Sir George Home of Wedderburn.[5]

7. *Katherine*, married, first, to Sir John Home of Duns, younger, of Ayton; secondly, Sir John Home of Blacater.[6]

8. *Marie*, named in Sir John Home's agreement with his son, Sir James Home of Whitrig and his wife Lady Anna, as to the joint household arrangements at Coldenknows, 1 September 1612, one of the witnesses being James Sinclair of Murkil, brother of Marie Sinclair, first wife of Sir John Home.

Sir John Home had a natural son and daughter:—

Thomas Home, who appears as witness to a charter

[1] *Hist. MSS. Com., MSS. of Col. Milne Home*, 265. [2] *Reg. Mag. Sig.* [3] *Hist. MSS. Com., MSS. of Col. Milne Home*, 269. [4] *Reg. Mag. Sig.* [5] *Rep. Hist. MSS. Com., MSS. of Col. Milne Home*, 73, 76. [6] *P. C. Reg.*, 2nd series, iii. 459; *Reg. Mag. Sig.*, 9 May 1645.

granted by his father of the barony of Ersilton to Mr. James Home of Eccles and others, 7 June 1610.[1]

Marion, married, contract 7 November 1605,[2] where she is styled natural daughter, to Patrick Cranston of Corsbie. She had a large family by Patrick Cranston, who was a most brutal husband and father, and she had to appeal several times for protection from him to the Privy Council.[3]

VIII. JAMES HOME, designed eldest lawful son of the deceased Sir James Home of Whitrig, Knight, was served heir-male to James, Earl of Home, on 22 March 1633, and to his father and grandfather 15 August the same year.[4] James, second Earl of Home, had died on the 13 February of that year. Before his death he, being childless, had in the interest of his sisters Lady Doune and Lady Maitland obtained a decreet against Sir James Home of Cowdenknows, reducing the contract of tailzie made between his father, Alexander, first Earl of Home, and Sir John Home of Cowdenknows, and his son Sir James, dated 18 December 1604, whereby Lord Home entailed his estates of Home, to himself and his heirs-male, whom failing to Sir John Home and Sir James Home and their heirs-male, they in the same way entailing their estates and livings on themselves and their heirs-male, whom failing, on Lord Home and his heirs-male. After much litigation, James Home of Cowdenknows was successful in obtaining a reversal of the decreet of reduction in March 1634.[5] The succession to the title does not seem to have been disputed, but it was not till 22 May 1636 that he obtained by a new patent from King Charles I., dated at Hampton Court, a ratification of the honours, privileges, and precedencies enjoyed by Alexander and James, Earls of Home, his predecessors, to him, and his heirs-male.[6] He had a charter of the barony of Duns 31 July 1637.[7] On 14 July 1638 he had a charter of the lands and the baronies of Dunglas and others. He was served heir-male of Alexander, first Earl of Home, of Alexander, fifth Lord Home, and of James, second Earl of Home, 1 July 1641.[8] Lord Home signed the petition

[1] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 120. [2] *Gen. Reg. of Sasines*, lviii. 463. [3] *P. C. Reg.*, 2nd series, ii. 256, 261. [4] *General Retours.* [5] *Acts and Decreets*, DXIII. ff. 53-58. [6] *Reg. Mag. Sig.* [7] *Ibid.* [8] *Ibid.*

against the use of the Liturgy, and was present in Edinburgh when it was presented to Lennox for conveyance to King Charles 20 September 1637.[1] He signed the Solemn League and Covenant, and his name appears in the Duns Castle copy of that document. But in 1639 he had become discontented with the party under Argyll's leadership, and was one of those who signed the 'Cumbernauld band,' drawn up by Montrose August 1640.[2] Appointed Sheriff of Berwickshire by Charles I. 9 April 1643. Thenceforth he was on the King's side, and was colonel of the Berwickshire Regiment of Foot, which fought at Preston, under the Duke of Hamilton, against Cromwell, in August 1648.[3] When Cromwell ruled in Scotland Lord Home's estates were apprised to various persons holding bonds on them, of whom a list appears in the Privy Council records of that date, but he was re-installed in their possession in 1661. He died in December 1666. Lord Home married Jean Douglas, fourth daughter of William, second Earl of Morton. She had a charter from him, in terms of their marriage-contract, of the baronies of Dunglas, Aldcambus, and Fast Castle, in Berwickshire, and of Thornton, in Haddingtonshire, in liferent, 'to Jean Douglas, now Countess of Home,' dated at The Hirsel 13 July 1640.[4] By her, who survived him, and was living 13 April 1683, he had issue :—

1. ALEXANDER, fourth Earl of Home.
2. JAMES, fifth Earl of Home.
3. CHARLES, sixth Earl of Home.
4. *William*, Sheriff-depute of Berwickshire, who in 1683 quarrelled over cards with Johnston of Hilton, whom he killed. He fled into England, and is supposed to have entered some foreign service, and died in battle.[6] The story is often told, but has apparently never been alluded to in any *Peerage*.
5. *Isabel*, named in an agreement between her brothers Earl James and Mr. Charles, and their mother, of date 13 April 1683, when she is provided to a sum of 10,000 merks Scots.[5]

[1] Lang's *Hist. Scot.*, iii. 37. [2] *Ibid.*, 77. [3] *Ibid.*, 192. [4] *Laing Charters*, No. 2280. [5] *Reg. of Deeds* (Durie), lviii. 13 March 1684. [6] Notes to Fountainhall's *Chron. Notes*, etc., 33.

IX. ALEXANDER, fourth Earl of Home, Sheriff of Berwickshire 12 March 1667, appointed Gentleman of the Privy Chamber in Ordinary to King Charles II. 11 December 1671, married Anne Sackville, born 7 June 1650, fifth daughter of Richard, Earl of Dorset. She died 22 August 1672, and was buried at Withyam. He died without issue in 1674. He was succeeded by his next brother,

X. JAMES, fifth Earl of Home. He married Anne Ramsay, daughter of George, second Earl of Dalhousie. He was Sheriff of Berwickshire during the Covenanting troubles in that county. Lord Home died at the Hirsel in 1687 without issue, and was buried in the family burying-place at Home.[1] He was succeeded by his next brother,

XI. CHARLES, sixth Earl of Home, who was imprisoned in 1678 in Edinburgh Castle for his accession to the clandestine marriage of the heiress of Ayton, Jean Home, to young George Home, son of the Laird of Kimmerghame. He was chosen member of Parliament for Berwick in 1681, but his election was not sustained. He took a leading part in opposing the Union, and died while it was pending, 20 August 1706. He married, about 1680, Anne, daughter of Sir William Purves of Purveshall, Baronet. By her he had issue:—

1. ALEXANDER, seventh Earl of Home.
2. *James* of Ayton, who, as second son of Charles, Earl of Home, was served heir to Jean Home Lady Ayton, 9 September 1699,[2] engaged in the Jacobite rising in 1715; his estate of Ayton was in consequence forfeited. He died 6 December 1764. He married Elizabeth or Janet Haig, eldest daughter of Zerubabel Haig, twenty-second Laird of Bemersyde, born 15 March 1699, and by her, who died 21 October 1777, had issue four daughters.
3. *George*, who died 20 September 1777; his widow died at Kelso, 5 October 1795, aged ninety-one. They had issue two daughters.
4. *Jane*, married to Patrick, Lord Polwarth, eldest son of the Earl of Marchmont, without issue.

[1] Funeral entry in Lyon Office. [2] *Retours, Berwick*, 476.

5. *Marjory*, died unmarried, 9 May 1686.
6. *Margaret*, married, 1735, to Alexander Bothwell, styled Master of Holyroodhouse, without issue.

XII. ALEXANDER, seventh Earl of Home, succeeded his father 20 August 1706. He was chosen one of the Representative Peers of Scotland at the general election 1710, and appointed General of the Mint 1711. He was imprisoned in Edinburgh Castle, on suspicion of favouring the Jacobite rising in 1715, but was released at the expiry of the Act suspending the Habeas Corpus Bill 24 June 1716. He died in 1720. He married Anne Ker, second daughter of William, second Marquess of Lothian, and by her (who married, secondly, Henry Ogle, and died 1727) had issue:—

1. *Charles*, Lord Dunglas, died young.
2. WILLIAM, eighth Earl of Home.
3. *James*, died young,
4. *Alexander*, died young.
5. ALEXANDER, ninth Earl of Home.
6. *George*, died young.
7. *Anne*, died in infancy.
8. *Jane*, died at Edinburgh 1 July 1787.

XIII. WILLIAM, eighth Earl of Home, succeeded his father in 1720; he had a cornet's commission in the 2nd regiment of Dragoon Guards 13 May 1735; got a troop in Churchill's Dragoons May 1740; was promoted to the captain-lieutenancy of the 3rd regiment of Foot Guards April 1743, and to a company of the same regiment in July following. He served on the Continent; was in Scotland in 1745 when the rebellion took place, and was at the battle of Prestonpans, where he vainly endeavoured to rally the dragoons. He took the command of the Glasgow regiment of 600 men, and with it joined the royal army at Stirling 12 December 1745. He was appointed second major of the 3rd regiment of Foot Guards 1749, colonel of the 48th Foot 1750, colonel of the 24th regiment of Foot 29 April 1752, and on the 16 April 1757 he was appointed Governor of Gibraltar, where he died 28 April 1761, being then a lieutenant-general in the army.[1] He was chosen

[1] *Gent.'s Mag.*

one of the sixteen Representative Peers of Scotland at the general elections 1741, 1747, 1754, also on 5 May 1761, his decease not being then known. He married, 25 December 1742, Elizabeth, widow of James Lawes, and daughter and heiress of William Gibbons of Vere, in the island of Jamaica. Lord Home had no issue by her. She died, 15 January 1784, aged eighty, at Portman Square, London.[1]

XIV. ALEXANDER, ninth Earl of Home, succeeded his brother 28 April 1761. He was a clergyman of the Church of England. He married, first, Primrose, second daughter of Charles, ninth Lord Elphinstone; she died 18, and was buried at Holyrood 20, December 1759,[2] and he married, secondly, his cousin Marion, third daughter of his uncle James Home of Ayton. She died, without issue, at The Hirsel, 30 October 1765. By his first marriage he had issue:—

1. WILLIAM, Lord Dunglas, who had an ensigncy in the Coldstream Guards 4 August 1774; a lieutenant in the same regiment 1778. He accompanied the Guards to America, and was mortally wounded at the battle of Guildford 15 March 1781. He died unmarried.
2. *Eleonora*, born 12 December 1759, married, at The Hirsel, 9 January 1784, to Major-General Thomas Dundas of Fingask, M.P., who died in the West Indies, while on public service, 3 June 1794. She died 10 April 1837, having had issue.

Lord Home married, thirdly, at Yarmouth, 10 February 1768, Abigail Brown, daughter and co-heir of John Ramey of Yarmouth, Barrister-at-law. She died at Sirothy Hall, Norfolk, 5 February 1814. By the third marriage he had issue:—

1. A son born at Yarmouth, 26 November 1768, died young.
2. ALEXANDER, tenth Earl of Home.
3. *Caroline*, born 27 November 1768, died at Great Yarmouth, 30 April 1794, aged twenty-five, unmarried.
4. *Charlotte*, born 20 July 1773, married, 16 April 1797, to the Venerable Charles Baillie Hamilton, Archdeacon of Cleveland, who died June 1820. She died 4 December 1866.

[1] *Scots Mag.* [2] *Ibid.*; Holyrood Burial Reg.

XV. ALEXANDER, tenth Earl of Home, succeeded his father 8 October 1786. He was born at The Hirsel 11 November 1769. He was chosen one of the Representative Peers for Scotland at the general election 1807, and was Lord-Lieutenant of Berwickshire and colonel of the Berwickshire Militia. He took, by royal licence, 1 March 1814, the name Ramey, in addition to that of Home. He married at Dalkeith House, 9 November 1798, Elizabeth, second daughter of Henry, third Duke of Buccleuch. She was born 10 October 1770, and died 29 June 1837. Lord Home died, 20 October 1841, at The Hirsel, having had issue:—

1. COSPATRICK ALEXANDER, eleventh Earl of Home.
2. *William Montagu Douglas*, born 22 November 1800, died unmarried, 22 July 1822.
3. *Henry Campbell*, born 17 February and died 16 March 1802.

XVI. COSPATRICK ALEXANDER, eleventh Earl of Home, succeeded his father 20 October 1841. He was born at Dalkeith House 27 October 1799. He was Under Secretary of State for Foreign Affairs from June 1828 to November 1830; a Representative Peer 1842 to 1874; Keeper of the Great Seal of Scotland, and a Lieutenant-General of the Royal Archers. Lord Home was created a Peer of the United Kingdom 11 June 1873, under the title of BARON DOUGLAS OF DOUGLAS in the county of Lanark. Lord Home died at The Hirsel 4 July 1881. He married, 4 December 1832, Lucy Elizabeth, eldest daughter of Henry James, Lord Montagu of Boughton, by Jane Margaret, eldest daughter of Archibald, first Lord Douglas, and co-heir of the last Lord Douglas. On the death of her mother in 1859 Lady Home succeeded to her great Douglas estates. By Lady Home (who was born 14 November 1805 and died 15 May 1877) the Earl had issue:—

1. CHARLES ALEXANDER DOUGLAS, twelfth Earl of Home.
2. *Henry*, born June 1835, died 10 April 1836.
3. *James Archibald* (Barrister-at-law, B.A. Oxford), born 20 January 1837.
4. *Montagu Cospatrick*, born 9 June 1840, died 1 June 1859.

[1] *The Douglas Book*, ii. 540.

5. *William Sholto*, major-general, retired late colonel commanding Grenadier Guards, born 25 February 1842.
6. *Cospatrick*, late major and hon. lieutenant-colonel 3rd Battalion Royal Scots, formerly captain 1st Battalion Rifle Brigade, born 2 May 1848.
7. *George Douglas*, born 4 October 1853.
8. *Elizabeth Eleanora*, born 12 July 1844.
9. *Ada*, born 8 September 1846, married, 10 April 1880, Hon. Henry Robert Hepburne Scott, brother of Lord Polwarth, and has issue.
10. *Charlotte Lucy*, born 23 February 1850.

XVII. Sir Charles Alexander Douglas Home, twelfth Earl of Home, K.T., Baron Home, and Baron Dunglas in the Peerage of Scotland, Baron Douglas of Douglas, Lanarkshire, in the United Kingdom, Lord-Lieutenant of Lanarkshire, Deputy Lieutenant Berwickshire and Glasgow, born 11 April 1834. Married, 18 August 1870, Maria, only daughter of Captain Charles Grey, R.N., and has issue :—

1. *Charles Cospatrick Archibald*, Lord Dunglas, born 29 December 1873. Married, 14 July 1902, Lilian, second daughter of the Hon. William Frederick Lambton, and has issue :—

   (1) *Alexander Frederick*, born 2 July 1903.
   (2) *Bridget*, born 4 May 1905.

2. *Mary Elizabeth Margaret*, born 12 November 1871. Married 3 September 1895, Lord Gillford, eldest son of the Earl of Clanwilliam. He died 14 October 1905, leaving issue.
3. *Beatrice Lucy*, born 14 May 1876. Married 9 February 1899, Captain Henry Herbert Philip Dundas, second son of Sir Robert Dundas, Baronet, of Arniston, and has issue.
4. *Margaret Jane*, born 26 September 1880.
5. *Isobel Charlotte*, born 28 December 1882.

Creations.—Baron Home, 2 August 1473; Earl of Home and Baron Dunglas, 4 March 1604-5, in the Peerage of Scotland; Baron Douglas in the Peerage of the United Kingdom, 11 June 1875.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th grand quarters, counterquartered, 1st and 4th vert, a lion rampant argent, for *Home*; 2nd and 3rd argent, three popinjays vert, for *Pepdie*; over all on an escutcheon or an orle azure, for *Landale*; 2nd and 3rd grand quarters, counterquartered, 1st azure, a lion rampant argent, crowned with an imperial crown or, for the *Lordship of Galloway*; 2nd or, a lion rampant gules, debruised of a ribbon sable, for *Abernethy*; 3rd argent, three piles gules, for the *Lordship of Brechin*; 4th or, a fess chequy azure and argent, surmounted of a bend sable, charged with three buckles of the field, for *Stewart of Bonkill*; over all on an escutcheon argent, a man's heart, ensigned with an imperial crown proper, and a chief azure charged with three mullets of the field, for *Douglas*.

CRESTS.—On a cap of maintenance proper a lion's head erased argent, for *Home*; on a cap of maintenance proper a salamander vert, encircled with flames of fire proper.

SUPPORTERS.—Two lions argent.

MOTTOES.—*A Home, a Home, a Home*, for *Home*.
Jamais arrière, for *Douglas*.
Below the shield, *True to the end*.

[E. M. F.]

Linlithgow

HOPE, EARL OF HOPETOUN, NOW MARQUESS OF LINLITHGOW

HOPE is a name of locality found as a surname in different parts of Scotland. When used as a place-name it is commonly applied to sheltered places among hills, and it is said to be derived from the Icelandic *hop*, a place of refuge. The first person of the name mentioned in the records is John Hope, of the county of Peebles, who swore fealty to Edward I. at Berwick 28 August 1296.[1] Thomas Hope is mentioned as the possessor of a tenement in Leith 26 March 1478.[2] It has been stated[3] that the progenitor of the Hopetoun family was a John de Hope, who came from France in the retinue of Magdalen, Queen of James V., in 1537, and that he settled in Scotland, and married Elizabeth Cumming. But there were Hopes in Edinburgh before this date.

JOHN HOPE, *alias* 'Petit John, trumpet,' was admitted a burgess of Edinburgh 14 March 1516-17.[4]

JOHN HOPE was made a guild brother 11 March 1529-30.[5] It was probably the same person, designed as burgess of

[1] *Cal. of Docs.*, ii. 207. [2] *Reg. Mag. Sig.*, 17 January 1488-89. [3] Nisbet's *Heraldry*, ii., App. 97. [4] Edin. Guild Reg. [5] *Ibid.*

Edinburgh, who, along with his wife Elizabeth Eumont or Eumond, had a sasine 14 May 1539.[1] His wife survived him, and was living 27 April 1565.[2] They had issue :—

1. *Edward*, who, along with his affianced spouse Katherine Paterson, had a sasine as son and apparent heir of John Hope, on the latter's resignation with consent of Elizabeth Eumond his spouse 5 July 1540.[3] He was made burgess of Edinburgh 27 November 1540.[4] He married, first, Katherine Paterson above mentioned, and had by her one daughter :—

   (1) *Elizabeth*, married to Ninian Lowis, merchant, with issue a son. Her testament was confirmed 20 April 1579.[5]

   He married, secondly, Janet Watson, and had by her five daughters :—

   (1) *Jonet.*
   (2) *Elizabeth*, married to Hugh Wycht, merchant, burgess of Edinburgh.
   (3) *Magdalene*, named in the will of her sister Sara.
   (4) *Katherine.*
   (5) *Sara*, married to the Rev. John Brown, minister of Glencairn.[6] She died on or shortly after 5 April 1624, leaving two sons and two daughters.[7]

   These daughters had a sasine 16 May 1590,[8] which was objected to on the ground that the subject was given to Edward and his first wife, so that the son of the daughter of the first marriage was preferable to the daughters of the second marriage.[9]

2. *Alexander*, who, as 'second son of John Hope,' was made a burgess of Edinburgh 26 February 1551-52.[10] On 24 August 1553 he had a sasine of the lands of Greenbraes, in the barony of Calder, to his parents in liferent and himself and his wife in fee,[11] and on 4 February 1554-55 another of the lands of Easter Drylaw in a charter by his parents,[12] who, however, redeemed them two years later.[13] He married Katherine Douglas.

3. HENRY, of whom presently.

[1] Protocol Book of Vincent Strathauchan, Edinburgh City Chambers. [2] Protocol Book of James Harlaw, Gen. Reg. Ho. f. 175. [3] Protocol Book of Mr. Andrew Brownhill, City Chambers. [4] Guild Reg. [5] Edin. Tests. [6] *Reg. Mag. Sig.*, 24 May 1605; cf. *Laing Charters*, No. 1448. [7] Dumfries Tests, 11 October 1624. [8] Protocol Books of Mr. Alexander Guthrie, City Chambers. [9] Edin. Inhibitions, iv. 386. [10] Guild Reg. [11] Protocol Book of James Nicolson, MS. Gen. Reg. Ho., f. 33. [12] *Ibid.*, f. 40. [13] *Ibid.*, f. 46.

HENRY HOPE, third son of John Hope and Elizabeth Eumond, was made a burgess of Edinburgh 22 November 1588. He is said to have married a French lady, Jaqueline de Tott (or Joanna Juvitot). By her he had issue:—

1. *Henry*, merchant, 'eldest son of umquhile Henry Hope, merchant,' admitted a burgess of Edinburgh 10 August 1591.[1]
2. *David*, goldsmith, admitted burgess 21 June 1591.
3. *James*, 'writer, sometime servitour to Mr. John Nicolson, Advocate.' He died before 1 November 1605, when his testament was confirmed.[2]
4. *Edward*, who, as executor dative to his brother James had a decree for £196 against Mr. Henry Sinclair, Provost of Roslin.[3]
5. THOMAS.

THOMAS HOPE, one of the most eminent members of his family, was a son of Henry Hope, but the exact date of his birth is not known. Like his brother James he became a 'servitor,' or what we should now call a clerk or pupil, to Mr. John Nicolson of Lasswade, and as such witnessed two charters by Sir Patrick Murray of Geaness at Edinburgh 28 February 1601.[4] Having thus acquired a knowledge of law, for he does not seem, like many other young Scotsmen, ever to have studied abroad, he was admitted an advocate 7 February 1605. His first important case was what is known as the trial of the six ministers for holding an unauthorised Assembly at Aberdeen in 1605. They were summoned before the Privy Council at Linlithgow in January 1606 on a charge of treason. After a very one-sided trial they were, notwithstanding the efforts of Hope, who was one of their counsel, convicted and sentenced to banishment. The appearance which the young advocate then made evidently created an impression, and the success of his forensic career was never afterwards in doubt. He was before long able to marry, and he then attained to that position so dear to every Scotsman of the time, the proprietorship of land. On 29 May 1612 he had a charter of the mains of Edmon-

[1] Guild Reg. [2] Edin. Tests. [3] *P. C. Reg.*, vii. 265. [4] *Reg. Mag. Sig.*, 17 February 1606.

ston and lands of Caldecottes in the regality of Musselburgh.[1] Four years afterwards he acquired the lands of Prestongrange, co. Haddington.[2] On 29 August 1619 he had a charter of the lands of Kinninmounth and Craighall, co. Fife, and had these erected into the barony of Craighall,[3] and he subsequently acquired other lands in the same county. He also, on 11 January 1620, had a charter of the lands of Western Granton, with the privilege of an open port.[4]

All this was evidence of a large and lucrative practice at the bar. So eminent did he become in his profession, that when it was decided that Sir William Oliphant, the Lord Advocate, now an old man, required a colleague, Hope was chosen for the post, and was appointed to it 29 May 1626.[5] On 19 February 1627-28 he was created a Baronet of Nova Scotia, and on 13 April following, on the death of Sir William Oliphant, he became sole Lord Advocate. On 19 November 1628, after some opposition from the Bench, he was admitted, by special order of the King, to sit with the judges of the Court of Session, and hear their consultations, except in cases where he himself was counsel.[6] In 1634 he prosecuted Lord Balmerino.[7] While he was a party to the act of the Privy Council recommending the use of the service-book desired by Charles I., he ultimately became an active supporter of those opposed to its introduction, and was the only Privy Councillor who did not sign the Act approving of the proclamation refusing the prayer of the petitions against the service-book and the bishops.[8] While he may have advised the preparation of the Covenant of 1638, he did not sign it, though he, along with other counsel, gave it as their opinion that it was not unlawful. He refused to defend Episcopacy in the General Assembly at Glasgow in 1638, and on 17 August of the following year that form of church government was for the time abolished. His sympathy with the Covenanters naturally provoked the resentment of the King, and on 14 January 1639-40 he was directed by Charles to go at once to his country house at Craighall and remain there

[1] *Reg. Mag. Sig.*, 27 October 1613. [2] *Ibid.*, 20 November 1617. [3] *Ibid.* [4] *Ibid.* [5] *Reg. Sec. Sig.*, xcviii. 444. [6] Acts of Sederunt, 19 November 1628. [7] Cf. vol. i. 564. [8] Rothes, *Relation of Affairs*, 66.

during the King's pleasure. The exigencies of public affairs, however, demanded his services before long, and in May of the same year he was recalled from his seclusion. His conduct in the business of the country for the next few years belongs rather to the domain of history than that of a genealogical notice. It may be said, however, that in 1643 he was appointed the King's Commissioner to the General Assembly, he being the only commoner who ever held that office. The distinguishing feature of the Assembly was the production of the Solemn League and Covenant. But Hope was now getting on in years and feeling the strain of an active and combative life. The latter years of his life were chiefly spent at Craighall, and, saddened by the deplorable state into which he saw public affairs were drifting, he died there 1 October 1646, fortunately for himself, before he saw his royal master delivered into the hands of the English Parliament.

Sir Thomas Hope, besides being a man of affairs, is remembered by several productions of his pen. His diary,[1] is an exceedingly interesting personal document, and gives much information both as to the public business of the time and his family affairs. He wrote a book of 'Minor Practicks,' a small treatise on Scots law which was much in vogue as a text-book at one time. The 'Major Practicks,' which still remains in manuscript,[2] has also been attributed, but without authority, to him. He was fond of classical studies, and he translated the Psalms and the Song of Solomon.

He married, in or before 1602, Elizabeth, daughter of John Bennet of Wallyford, and had by her fourteen children:—

1. *Sir John* of Craighall, followed his father's profession, and was knighted and admitted an ordinary Lord of Session, taking his seat on the Bench 27 July 1632.[3] He was, in May 1652, one of Cromwell's Committee of Justice, and for some time President thereof.[4] He died at Edinburgh 28 April 1654, having married, in or before 1632, Margaret, daughter of Sir Archibald Murray of Blackbarony, Bart. By her, who died in

[1] Published by the Maitland Club. [2] Advocates' Library. [3] Brunton and Haig's *Senators*. [4] Nicol's *Diary*.

childbed 3 October 1641,[1] he had issue, besides six daughters:—

(1) *Sir Thomas*, born 11 February 1633, and died before 26 March 1663; married Elizabeth, daughter of Sir John Aytoun of that Ilk, who married, secondly, on the last-mentioned date, John Gibson of Durie. His male issue came to an end in the person of his last surviving grandchild Sir John Bruce Hope of Kinross, who died 5 June 1766.

(2) *Sir Archibald* of Rankeillour, baptized 9 September 1639: admitted Advocate 30 June 1664; an ordinary Lord of Session 1 November 1689, and a Lord of Justiciary 27 January 1690, about which time he was knighted. Died 10 October 1706.[2] Married Margaret, daughter of Sir John Aytoun of that Ilk, and was the ancestor of the Hopes of Pinkie, now the senior branch of the family.

2. *Sir Thomas* of Kerse and Wester Granton, born 6 August 1606,[3] admitted Advocate 17 July 1631, and was knighted by Charles I. at Innerwick 16 July 1633;[4] sat in Parliament for Clackmannan 1639-41, and for Stirlingshire 1643; in 1640 was constituted colonel of the troop of Horse raised by the College of Justice to attend General Leslie as his bodyguard when he marched into England at the head of the Scottish army. In November 1641 he was raised to the Bench by the King with the consent of the Estates,[5] and was also created Justice-General.[6] He died at Edinburgh *v. p.* 23 August 1643.[7] He married, before 18 December 1630, Helen, third daughter and co-heiress of Adam Rae of Pitsindie,[8] by whom he had issue:—

(1) *Sir Alexander* of Kerse, born 6, baptized 12, December 1637,[9] created Baronet 30 May 1672, died December 1673, and was buried in the Greyfriars, Edinburgh, 1 January 1674.[10] He married, 12 December 1659, at Delft in the Netherlands, 'Mistress Louisa Hunter.'[11] His male issue became extinct in the person of his great-grandson about 1794.

3. *William*, baptized 10 April 1608, died young.
4. *Henry*, baptized 26 December 1609, died young.
5. *Sir Alexander* of Granton, baptized 12 March 1611: he was sent by his father to the English Court in

[1] *Diary*, 152. [2] Brunton and Haig's *Senators*. [3] Wood's *Cramond*, 141. [4] Balfour's *Annals*, iii. 367. [5] *Acta Parl. Scot.*, v. 389, 704. [6] *Reg. Mag. Sig.*, 18 November 1641. [7] *Diary*, 194. [8] *Reg. Mag. Sig.*, 22 January 1631. [9] *Diary*, 67. [10] Greyfriars Reg. [11] Steven's *Hist. of the Scottish Church, Rotterdam*, 296 *n.*

1637,[1] and became Cupbearer to King Charles I. He married, contract 22 November 1642,[2] Anne Bell, and died without issue 13 February 1680.

6. Sir James of Hopetoun, of whom after.
7. *David*, baptized 3 October 1615, died young.
8. *Patrick*, baptized 28 January 1617, died young.
9. *Charles*, baptized 4 June 1627, died young.
10. *Elizabeth*, baptized 29 June 1603, died young.[3]
11. *Margaret*, baptized 28 December 1618, died young.
12. *Mary*, baptized 13 June 1620; married (contract 10 January), 5 February 1639, in Greyfriars,[4] to Charles Erskine of Bandeath, fifth son of John, Earl of Mar, with issue.
13. *Elizabeth*, baptized 10 July 1623, died unmarried.
14. *Anne*, baptized 19 April 1625; married (contract 9 August 1645[5]), as his first wife, to David Erskine, Lord Cardross. She was dead before 1655.

Sir James Hope of Hopetoun, sixth son of Sir Thomas, was baptized 12 July 1614. As a young man he was sent to France, and attended the University of Orleans.[6] On his return home he was admitted to the Bar, and shortly after acquired through his wife the property of Leadhills. He paid great attention to the working of the mines there, from which not only lead but silver and gold had in former days been extracted. In consequence of his knowledge of metallurgy he was appointed in 1641 Master of the Mint in Scotland. On 1 June 1649 he was appointed an ordinary Lord of Session,[7] and sat in Parliament for the county of Stirling in that year, and for Lanarkshire in the following one. He was denounced by Argyll, 25 November 1650, as an enemy to the King and country,[8] and was refused a pass to leave the country. He was appointed one of Cromwell's judges in May 1652, but his conduct did not apparently recommend itself to the Protector, as his name was omitted in the new commission for the administration of justice appointed in July 1654.[9] Sir James Hope died at his brother's house at Granton on his return from the Netherlands, where he had

[1] *Diary*, 38. [2] *Ibid.*, 180. [3] Edin. Reg. [4] *Diary*, 84, 85. [5] *Reg. Mag. Sig.*, 10 June 1646. [6] *Diary*, 38. [7] Books of Sederunt. [8] Balfour's *Annals*, iv. 173. [9] Nicoll's *Diary*, 132; *Cal. State Papers, Dom.*, 1654, p. 211.

gone on business connected with his mines, 'of the Flanders sickness,' 23 November 1661.[1] He married, first, 14 January 1638,[2] Anna, only daughter and heiress of Robert Foulis of Leadhills, a wealthy goldsmith in Edinburgh. She died in 1656, and he married, secondly, 29 October 1657, Mary, eldest daughter and co-heiress of William Keith, seventh Earl Marischal; she survived him, and married, secondly, Sir Archibald Murray of Blackbarony, Bart. By his first wife Sir James had issue:—

1. *Thomas*, baptized 23 November 1640, died 29 March 1644.[3]
2. *Robert*, born 6, baptized 13, February 1645,[4] died young.
3. *Thomas*, baptized 5 February 1647, died young.
4. *James*, baptized in the Magalen Chapel, by Rev. Andrew Ramsay, 22 April 1649, and died a few days later.[5]
5. JOHN, of whom after.
6. *George*, baptized 23 November 1654, died young.
7. *Alexander*, born 6 April 1656, died young.
8. *Elizabeth*, born 5, baptized 7, September 1642.
9. *Sarah*, born 30 December 1643, baptized 4 January 1644.
10. *Anne*, baptized 29 February 1652.
11. *Rachel*, baptized 16 March 1653, married, March 1669, to David Betoun of Balfour.[6]

By his second wife Sir James Hope had issue:—

12. *William*, baptized 1 August 1658, died an infant.
13. *Sir William* of Balcomie, baptized 15 April 1660; served in the army, and travelled much abroad; was an accomplished cavalier, and wrote a treatise on Fencing, published at Edinburgh 1686; he also translated Solleysell's *Parfait Mareschall* from the French in 1696. He was first designated of Granton, which estate had been left him by his uncle Sir Alexander, but he afterwards acquired Kirkliston, and having been knighted, was subsequently, 1 March 1698, created a Baronet, with remainder to heirs-

[1] Lamont's *Diary*. [2] *Diary*, 69. [3] *Ibid.*, 204. [4] *Ibid.*, 212. [5] *Ibid.* [6] Macfarlane's *Gen. Coll.*, i. 17, where she is incorrectly stated to be a daughter of Sir James Hope's second wife.

male whatsoever. He was for many years deputy governor of the Castle of Edinburgh; in 1765 he purchased the estate of Balcomie, co. Fife, for £7500. He died at Edinburgh, having contracted a chill after dancing at an assembly, 1 February 1724, and was buried in the Greyfriars. He married, in or before 1682, Elizabeth Clerk, and by her had issue. The baronetcy became dormant after the death of his grandson in 1763; the collateral heir-male was the Earl of Hopetoun, who, however, did not assume the title.

14. *Mary*, a posthumous child, baptized 7 July 1662, died young.

JOHN HOPE of Hopetoun, the eldest surviving son of Sir James, was baptized 16 June 1650. In 1678 he purchased the barony of Abercorn, which lay adjacent to Hopetoun, with the office of hereditary Sheriff of the county of Linlithgow, from Sir Walter Seton, and about the same time the barony of Niddry and Winchburgh from the Earl of Wintoun. He was drowned while coming to Scotland with the Duke of York, 5 May 1682. He married, at Tynninghame, 31 December 1668 (contract 4 December), Margaret Hamilton, eldest daughter of John, fourth Earl of Haddington. She had a dowry of 18,000 merks. She survived him, dying on 31 January 1711, and was buried at Tynninghame 8 February.[1] They had issue:—

1. CHARLES, first Earl of Hopetoun.
2. *Helen*, born 1677, married in 1696 to her cousin Thomas, sixth Earl of Haddington, and died, 19 April 1768, in her ninety-first year.

I. CHARLES HOPE of Hopetoun was born in 1681, the year before his father's death. He was elected Member of Parliament for Linlithgowshire in 1702, and was a Privy Councillor the following year. On 15 April 1703 he was created EARL OF HOPETOUN, VISCOUNT OF AITHRIE AND LORD HOPE, with remainder failing heirs-male of his body to heirs-female of his body. He took his seat as a Peer 6 July 1704, and was a zealous supporter of the Union.

[1] Funeral entry in Lyon Office.

He was appointed Lord-Lieutenant of Linlithgowshire 1715, and was Lord High Commissioner to the General Assembly 1723. He was made a Knight of the Thistle 10 July 1738; and chosen one of the Representative Peers of Scotland at the elections of 1722, 1727, 1734, and 1741. His name is principally associated with the building of Hopetoun House, a magnificent edifice erected from the designs of Sir William Bruce, the celebrated architect. He died at Hopetoun 26 February 1742.[1] He married, 31 August 1699, Henrietta Johnstone, daughter of William, first Marquess of Annandale (born 11 November 1682). By her, who died at Hopetoun 25 November 1750, he had issue:—

1. JOHN, second Earl of Hopetoun.
2. A son, born and died 22 July 1707.
3. *Charles*, born 8 May 1710; succeeded to the estate of Craigiehall, co. Linlithgow, on the death of his uncle the second Marquess of Annandale in 1730. Sat in Parliament for the county of Linlithgow from 1743 to 1768; governor of Blackness Castle 1744, and one of the Trustees of the Board of Manufactures. He died at Craigiehall 30 December 1791. He married, first, at Edinburgh, 26 July 1733, Catherine, only daughter and heiress of Sir William Weir or Vere of Blackwood, co. Lanark, Bart., and through her got that property. He is said to have assumed the name of Weir or Vere on his marriage, but it does not appear on his franks till 1764.[2] She died 5 December 1743, aged twenty-seven; he married, secondly, 20 March 1746, Anne Vane, eldest daughter of Henry, first Earl of Darlington. The marriage was dissolved by Act of Parliament in 1757, and she married, secondly, Colonel George Monson, third son of George, first Lord Monson, and died 14 September 1776. Mr. Hope Vere married, thirdly, 2 April 1766, Helen, daughter of George Dunbar of Leuchold, co. Linlithgow; she died at Merchiston 18 September 1794.

   By his first wife he had issue:—

   (1) *Charles*, born 31 December 1734, died young.
   (2) *William*, born 17 May 1736, an officer in the Army, married,

[1] Funeral entry in Lyon Office. [2] Foster's *Scottish Members of Parl.*

5 January 1775, Sophia, daughter of Joseph Corrie of Dumfries, with issue.

(3) *John*, born 7 April 1739, a merchant in London, sat in Parliament for the county of Linlithgow 1768-70, and died at Newcastle 21 May 1785.[1] Married, 2 June 1762, Mary, only daughter of Eliab Breton of Norton, co. Northampton, and by her, who died at Brockhall, in the said county, 25 June 1767, in her twenty-fifth year, had three sons:—

i. *Charles*, of Granton, born 29 June 1763, admitted Advocate 11 December 1784,[2] Sheriff of Orkney 5 June 1792, Lord Advocate June 1801, Member of Parliament for the Dumfries Burghs 1802, and for the city of Edinburgh 1803-5, he was appointed Lord Justice-Clerk 6 December 1804,[3] and became Lord President of the Court of Session 12 November 1811. He was appointed by Act of Parliament Lord Justice-General in 1836. He commanded the First Regiment of Royal Edinburgh Volunteers from 1801 to 1814, with the exception of one year when the corps was disbanded at the peace of Amiens in 1802. When they were embodied for a third time during the political disturbances of 1819 he was again at their head. He died 30 October 1851, having married, 8 August 1793, Charlotte, eighth daughter of John, second Earl of Hopetoun. She died at Edinburgh 22 January 1834, aged sixty-two, leaving issue.

ii. *John*, born 15 July 1765. After being some time in the service of the States of Holland, he was, in 1788, appointed captain in the 13th Light Dragoons; this was the beginning of a distinguished military career in the British Army. He served in all parts of the world, and commanded a brigade at the battle of Salamanca. He was made a lieutenant-general in 1819, was colonel of the 92nd Highlanders in 1820, and of the 72nd Highlanders in 1823. He was knighted in 1821, and was G.C.H. He died in August 1836. He married, first, at Montrose, 20 September 1806, Mary, only daughter and heiress of Robert Scott of Logie, co. Forfar; she died in 1813, leaving three daughters. He married, secondly, 21 April 1814, Jane Hester, daughter of John Macdougall of Ardintrive, and by her (who married, secondly, the Rev. William Knight, rector of Steventon, Herts, and died 10 November 1880) had five sons and five daughters.

iii. *Sir William Johnstone Hope*, born 16 August 1766. He entered the Navy in 1777 and saw much service, becoming an admiral in 1812. He sat in Parliament for the Dumfries Burghs 1800, and for the county of Dumfries 1804 to 1830. He was one of the Lords of the Admiralty 1807-9, K.C.B. 1815, and G.C.B. 1825. Treasurer of Greenwich Hospital 1828, and subsequently one of the five commissioners appointed

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[1] *Scots Mag.* [2] Faculty List. [3] Books of Sederunt.

for the management of its affairs. He died 2 May 1831. He married, at Hopetoun House, 8 July 1792, Anne Johnstone Hope, eldest daughter of James, Earl of Hopetoun, and added the name of Johnstone to that of Hope. By her he had issue four sons and two daughters. He married, secondly, 30 October 1821, Maria, second daughter of Sir John Eden, Baronet, of West Auckland, and widow of Frederick William de Ginkell, seventh Earl of Athlone. By her, who died 4 March 1851, he had no issue.

(4) *Charles*, died in infancy.
(5) *Henrietta*, born 9 June 1757; died, unmarried, at Edinburgh, 18 November 1808.
(6) *Rachel*, died in infancy.
(7) *Henry*, served in the Army, and died Lieutenant-Governor of Canada, at Quebec, 13 April 1789, having married Sarah, daughter of the Rev. John Jones, LL.D., Prebendary of Mullaghbrack. She erected a monument to her husband in Westminster Abbey.
(8) *Charles*, entered the Navy, and ultimately became commissioner at Chatham dockyard. He died at Granton 10 September 1808; married Susan Anne, daughter of Admiral Herbert Sawyer. She died 10 July 1802, leaving issue.

By his third wife Mr. Hope Vere had issue:—

(9) *Sir George*, born 6 July 1767; entered the Navy, and rose to the rank of admiral; died 2 May 1818. Married, first, at Hopetoun House, 28 January 1803, Jemima, fifth daughter of James, third Earl of Hopetoun. She died 5 September 1808, and he married, secondly, in 1814, Georgiana Mary Anne, daughter of George, seventh Lord Kinnaird. She died 16 December 1848. He had issue by both wives.
(10) *Helen Charlotte*, born 7 January 1773; married, in 1795, to John Knight of Lea Castle, co. Worcester, and died *s. p.* at Madeira, 8 May 1801.
(11) *Margaret*, born in 1777, died, unmarried, October 1842.
(12) *Elizabeth*, married, 7 August 1798, to John, fourth Earl of Hopetoun.

4. *William*, born 3 June, died 24 November, 1715.
5. *Margaret*, born 3 March 1700, died 9 May 1703.[1]
6. *Sophia*, born 31 May 1702; married, as his second wife, in December 1723, to James (Ogilvie), Earl of Findlater and Seafield, and died without issue, in London, 25 April 1761.
7. *Henrietta*, born 21 February 1706; married (contract 14 March 1729) to Francis, sixth Lord Napier of Merchiston, and died 27 February 1745.
8. *Margaret*, born 18 December 1708; married, at Hopetoun House, 20 December 1745,[2] to John Dundas of

[1] Abercorn Reg. [2] *Scots Mag.*

Duddingston, co. Linlithgow, and died at Edinburgh 13 January 1778; her husband died 13 February following. They had no surviving issue.

9. *Helen*, born 27 July 1711; married, at Hopetoun House, 13 January 1737, to James Watson of Saughton, co. Edinburgh, and died, leaving issue, at New Saughton, 26 December 1778.
10. *Christian*, born 31 March 1714; married, at Hopetoun House, 8 April 1743,[1] to Thomas Graham of Balgowan, co. Perth. By him, who died at Balgowan 6 December 1766, she was the mother of a son, *Thomas*, afterwards Lord Lynedoch. She died at Tynninghame 31 May 1799.
11. *Anne*, born 21 June 1718, died 24 December 1727.
12. *Charlotte*, born 4 March 1720; married, at Hopetoun House, 1 October 1741,[2] to Thomas, Lord Erskine, only surviving son of John, Earl of Mar, who was attainted in 1715. He died at Gayfield 16 March 1766, and she at Edinburgh 24 November 1788.
13. *Rachel*, born 10 July 1721; died in infancy.

II. John, second Earl of Hopetoun, was born at Hopetoun House 7 September 1704; one of the Lords of Police 1744-60. It is said that he spent the whole salary of the office in charity. Lord High Commissioner to the General Assembly 1754; died at Hopetoun 12 February 1781. He married, first, at Cullen House, 14 September 1733, Anne Ogilvy, second daughter of James, Earl of Findlater and Seafield; she died at Hopetoun 8 February 1759. He married, secondly, at Balgowan, 30 October 1762, Jean, daughter of Robert Oliphant of Rossie, co. Perth; she died at Glasgow 16 March 1767. He married, thirdly, at Gayfield, 10 June[3] 1767, Elizabeth Leslie, second daughter of Alexander, Earl of Leven and Melville; she died at Edinburgh 10 April 1788, aged fifty, and was buried at Abercorn.

By his first wife the Earl of Hopetoun had issue:—

1. *Charles*, styled Lord Hope, born 9 July 1740; died at Portsmouth, on his return home from a voyage to

[1] *Scots Mag.* [2] *Ibid.* [3] *Ibid.*

the West Indies, 6 June 1766, and was buried at Abercorn.

2. James, third Earl of Hopetoun.
3. *John*, born 1 June 1743, died at Hopetoun 30 September 1759.
4. *William*, born 21 January 1749, died 28 May 1750.
5. *Henry*, born 29 February 1755, died at Lyons 27 August 1776.
6. *Elizabeth*, born 1 March 1736; married, at Hopetoun, 24 July 1754,[1] to Henry, Earl of Drumlanrig, eldest son of Charles, third Duke of Queensberry. He died *s. p.* 19 October 1754, and she, at Hopetoun, 7 April 1756, and was buried at Durisdeer beside her husband.
7. *Henrietta*, born 21 August, and died 1 October 1738.
8. *Henrietta*, born 17 April 1746; died, unmarried, at Bristol, 1 January 1786.
9. *Sophia*, born 2 February 1759; married, at Hopetoun, 30 April 1779, to Charles, eighth Earl of Haddington. She died at Tynninghame 8 March 1813, leaving issue by her husband, who died 17 March 1828, one son.

By his second wife the Earl had issue:—

10. Sir John of Rankeillour, who succeeded as fourth Earl.
11. *Anne*, born 7 October 1763; died at Hopetoun 21 January 1780.
12. *Jean*, born 12 November 1766; married, first, at Marylebone, 2 April 1793, as his second wife, to the Right Hon. Henry Dundas, afterwards Viscount Melville. He died 29 May 1811, and she was married, secondly, 16 February 1814, to Thomas, first Lord Wallace, and died *s. p.* 9 June 1829.

By his third wife the Earl had issue:—

13. *Charles* of Waughton, co. Haddington. Born 16 October 1768; cornet 3rd Dragoon Guards 1785; afterwards captain and major 37th Foot; lieutenant-colonel 7th Dragoon Guards 1799; major-general 2 November 1805. Sat in Parliament for the Kirkcaldy Burghs 1790-96, and for Haddingtonshire 1800-16. Married, 30 April 1807, Louisa Anne, eldest daughter of George Touch Hatton of Eastwell. He died 1

[1] *Scots Mag.*

July 1828; she died 1 March 1875, leaving issue one daughter.

14. *Alexander*, born 9 December 1769; ensign 63rd Foot 1786; lieutenant 64th Foot 1788; 1st Foot Guards 20 July 1791; major 81st Foot and lieutenant-colonel 90th Foot 1794, and in December of the same year exchanged to the 14th Foot. Severely wounded at Baren in Holland 8 January 1795. Appointed Lieutenant-Governor of Tynemouth and Cliff Fort 1797, and Lieutenant-Governor of Edinburgh Castle 1798. Brigadier-general 1807, and major-general 1808. Governor of the Royal Military College, Sandhurst, 1812, but returned to his governorship of Edinburgh Castle in 1819. He was made Lieutenant-Governor of Chelsea Hospital 1826; was colonel of the 5th West Indian Regiment 1806, of the 74th Foot 1809, of the 47th Foot 1813, and of the 14th Foot 1835. He sat in Parliament for the Dumfries Burghs 1796-1800, and for Linlithgowshire from 1800 till 1834 without a break. He was invested G.C.B. 29 June 1813, and Hon. D.C.L. of Oxford 1824; died 19 May 1837. He married, at Edinburgh, 23 October 1805, Georgina, youngest daughter of George Brown of Elliestoun, and by her had issue.

15. *Elizabeth*, born 16 October 1768, a twin with Charles; married, as his third wife, 26 August 1799,[1] to the Rev. John Kemp, D.D., one of the ministers of the Tolbooth Church, Edinburgh. She died, without issue, 17 September 1801; he died 18 April 1805.

16. *Charlotte*, born 4 May 1771; married, 8 August 1793, to the Right Hon. Charles Hope of Granton, Lord President of the Court of Session; died at Edinburgh 22 June 1834, leaving issue.

17. *Margaret*, born 24 June 1772; married, 10 July 1793, to Alexander Maclean of Ardgour, co. Inverness; she died 16 September 1831; he died 8 September 1855, leaving issue.

18. *Mary Anne*, born 12 July 1773; married, 15 December 1794,[2] to Patrick Murray, eldest son of Sir William

[1] *Scots Mag.* [2] *Ibid.*

Murray of Ochtertyre, Bart. She died 21 February 1838; he died 1 June 1837, leaving issue.

III. JAMES, third Earl of Hopetoun, was born 23 August 1741. He became ensign in the 3rd Foot Guards 9 May 1758; served with that regiment in Germany, and quitted the Army in 1764, in order to travel with his elder brother, Lord Hope, who was in delicate health. He is described in a contemporary letter as 'a most agreeable, pritty young man, of a fine character.'[1] He succeeded to the title in 1781, and was elected a Representative Peer in 1789. In 1790 he unsuccessfully claimed to have been again elected; but in 1794 he was duly chosen. In 1792 he succeeded to the large Annandale estates of his granduncle George, third Marquess of Annandale, but never assumed the title.[2] He added, however, the name of Johnstone to his own. In 1793, on the breaking out of the French war, he raised a corps called the Southern or Hopetoun Fencibles, which he commanded till they were disembodied in 1798. He afterwards, as Lord-Lieutenant of the county of Linlithgow, raised a Yeomanry Corps and a regiment of Volunteer Infantry.[3] For these services to Government he was, on 3 February 1809, created a Peer of the United Kingdom under the title of BARON HOPETOUN OF HOPETOUN, with specific remainder, failing heirs-male of his own body, to those of his father. He died at Hopetoun 29 May 1816.

He married, 21 August 1766, Elizabeth, eldest daughter of George, sixth Earl of Northesk. She was born, 3 April 1750,[4] and was therefore only in her seventeenth year at the date of her marriage. She died in London 19 August 1793, and was buried at Johnston, in the county of Dumfries, having had by her husband six daughters, of whom only four survived their mother.

1. *Anne*, born 13 January 1768; married, at Hopetoun, 8 July 1792, to William Hope, afterwards Admiral Sir William Johnstone Hope (*see ante*, p. 496), and died, leaving issue.
2. *Jean Elizabeth*, born 27 December 1768; died, un-

[1] *Wemyss Book*, iii. 223. [2] See vol. i. p. 269. [3] Kay's *Portraits*, i. 196, where there is a portrait of the Earl at the head of the Hopetoun Fencibles. [4] *Scots Mag.*

married, on board the yacht *Britannia*, at Spithead, 14 August 1786,[1] and was buried at Abercorn.

3. *Jemima*, born 29 January 1770, died 31 December 1773.
4. *Georgina*, born 12 October 1773; married, at Ormiston Hall, 20 November 1793, to the Hon. Andrew Cochrane, brother of the Earl of Dundonald.[2] She died at Roseau, Dominica, of which place her husband was Governor, 17 September 1797, leaving issue.
5. *Jemima* (*secunda*), married at Hopetoun 28 January 1803 to George Hope, afterwards Admiral Sir George Hope (*see ante*, p. 496); died 5 September 1808, leaving issue.
6. *Lucinda*, died, unmarried, at Hopetoun, 8 January 1800.

IV. JOHN, fourth Earl of Hopetoun, succeeded his brother. He was styled, previous to his succession, of Rankeillour. He was born 17 August 1765, and after travelling for some time on the Continent, received a commission as ensign in the 10th Dragoons 28 May 1784; he was afterwards lieutenant in the 100th Foot, and 27th Inniskillings; was captain 17th Light Dragoons 1789, major 1st Royals 1792, and lieutenant-colonel 25th Foot 26 April 1793. Elected Member of Parliament for Linlithgowshire in 1790 and 1796. He served in the West Indies as Adjutant-General under Sir Ralph Abercromby 1796, and he was Deputy Adjutant-General under the same commander in North Holland in August 1799, but was severely wounded on landing, was invalided home, and received the command of the North Lowland Fencibles. But he returned to Holland in September, and saw active service there as Adjutant-General under the Duke of York. He held the same office to Sir Ralph Abercromby in the Mediterranean in 1800, and was present when that commander fell at Alexandria, 21 March 1801. He himself was again wounded, but on his recovery got the command of a brigade in Egypt. He was a major-general in 1803, and in 1805 was appointed Lieutenant-Governor of Portsmouth. He resigned that post the same year, and accompanied the expedition to Hanover under Lord Cathcart. He was a lieutenant-

[1] *Scots Mag.* [2] See vol. iii. 360.

general in 1808, went as second in command with Sir John Moore to Sweden, and then accompanied that officer to Portugal. He was at the battle of Corunna, and succeeded to the chief command on the death of Moore. His distinguished services in the campaign earned him the thanks of Parliament and a Knighthood of the Bath. He served in the Walcheren Expedition, and in 1812 was Commander of the Forces in Ireland. He commanded the first division of the British army in the Peninsula, and was again wounded at the battles of the Nive, 10-13 December 1813. He displayed the most conspicuous gallantry all through the campaign, and was once more wounded during the sortie of the French garrison from Bayonne 14 April 1814. At the peace he was created, 17 May 1814, BARON NIDDRY OF NIDDRY, and was made G.C.B. January 1815. He became a full general in 1819, and was made G.C.H. 1820.

Lord Hopetoun was appointed colonel commandant of a battalion of the 60th Royal Americans in 1806, and subsequently received the colonelcy of the 92nd Gordon Highlanders. In 1820 he was transferred to the colonelcy of the 42nd Highlanders. In 1822 he was elected Captain-General of the Royal Company of Archers, and in that capacity attended King George IV. on the occasion of his visit to Scotland in that year. He entertained the King at Hopetoun House previous to his departure for the south.[1] This was the last public duty which Lord Hopetoun performed, as he died at Paris 27 August 1823.

He married, first, at Lea Castle, co. Worcester, 7 August 1798, Elizabeth, daughter of the Hon. Charles Hope Vere (*see ante*, p. 496). She died, *s.p.*, 20 March 1801; secondly, at Ballendean, 9 February 1803, Louisa Dorothea, third daughter of Sir John Wedderburn of Ballendean, Bart. She died at Leamington 16 July 1836.[2]

By his second wife he had issue:—

1. JOHN, fifth Earl of Hopetoun.
2. *James* of Featherstone Castle, Northumberland, born

[1] Lord Hopetoun's portrait was painted by Watson Gordon for the Royal Company of Archers, and it (or rather a replica of it, for the original was destroyed) now hangs in their hall, and he presented the Royal Company with a very handsome silver vase, which is still shot for annually as a prize. See Paul's *Hist. of the Royal Company of Archers*, pp. 144, 156, 340. [2] *Gent.'s Mag.*

7 June 1807, entered the Army, and became lieutenant-colonel 2nd Foot Guards. Succeeded, 23 February 1844, under the will of Thomas, Lord Wallace, who had married his aunt Jane, daughter of John, second Earl of Hopetoun, and widow of the first Viscount Melville, to all his estates, and assumed the additional surname and arms of Wallace. Died 7 January 1854. Married, 4 March 1837, Mary Frances, youngest daughter of George Frederick, seventh Earl of Westmeath. She died 23 May 1904, aged ninety-three, leaving issue.

3. *Charles*, born 11 September 1808, admitted Advocate 19 November 1831. Was member of Parliament for the county of Linlithgow 1838-45. Lieutenant-Governor of the Isle of Man 1845-60. Died 31 October 1863. Married, 26 October 1841, Isabella Helen Douglas, daughter of Thomas, fifth Earl of Selkirk. She died 4 July 1893, leaving issue.
4. *George*, born 12 April 1811, was a captain in the Navy. Died 14 November 1854. Married, 29 April 1857, Anne Carmichael Napier, member of Royal Order of Victoria and Albert (3rd class), fourth daughter of William John, ninth Lord Napier. She died 28 May 1877, leaving issue one daughter.
5. *Henry*, born 6 October 1812, died in March 1831.
6. *William*, born 24 June 1816, died 1835.
7. *Louis*, born 29 October 1817, captain in the Coldstream Guards, died 15 August 1894. Married, 12 October 1859, Susan Frances Sophia, elder daughter of Captain William John Dumaresq. She died 4 December 1901, leaving issue.
8. *Thomas*, born 20 October 1819, died 6 November 1838.
9. *Adrian*, born 3 March 1821, a C.B., brigadier-general in India, and colonel of the 93rd Highlanders. Killed at Rodhamow, Oude, 15 April 1858. 'One of the noblest soldiers in the British army. A kind, courteous and noble gentleman in word and deed; of undaunted courage, combined with extreme kindness and charm of manner,' were some of the encomiums passed on him at his death by those who knew him well.

10. *Alicia*, died 4 March 1840.
11. *Jane*, died 2 April 1834.

V. JOHN, fifth Earl of Hopetoun, born in London 15 November 1803, died suddenly in Westminster 8 April 1843. Married, 4 June 1826, Louisa, eldest daughter of Godfrey, third Lord Macdonald of Sleat. She died 1 September 1854, having had issue by him an only son.

VI. JOHN ALEXANDER, sixth Earl of Hopetoun, born 22 March 1831, served in the Army, and was Lord-Lieutenant of the county of Linlithgow. Died 2 April 1873. Married, 8 January 1860, Etheldred Anne, eldest daughter of C. T. S. Birch Reynardson of Holywell Hall, co. Lincoln. She died 15 October 1884, leaving issue :—

1. JOHN ADRIAN LOUIS, seventh Earl of Hopetoun.
2. *Charles Archibald*, born 12 May 1863, died 2 April 1888.
3. *Estella Mary*, born 1866.
4. *Dorothea Louisa*, born 1868.

VII. JOHN ADRIAN LOUIS, seventh Earl of Hopetoun, born 25 September 1860. A Lord-in-waiting to H.M. Queen Victoria 1885-86 and 1886-89, Lord High Commissioner to the General Assembly 1887-89, Governor and Commander-in-chief of Victoria 1889-95, a Privy Councillor 1895, Paymaster-General 1895-98, Lord Chamberlain of the Household 1898-1900, first Governor-General and Commander-in-chief of the Australian Commonwealth 1900-2, Secretary for Scotland 1905 during Mr. Balfour's administration, which went out of office in December of that year. A Brigadier of the Royal Company of Archers. G.C.M.G. 1889, K.T. 1900, G.C.V.O. 1900. Created MARQUESS OF LINLITHGOW in the Peerage of the United Kingdom 27 October 1902. Married, 18 October 1886, Hersey Alice Eveleigh De Moleyns, daughter of Dayrolles Blakeney, fourth Lord Ventry, and has issue :—

1. VICTOR ALEXANDER JOHN, Earl of Hopetoun, born 24 September 1887.
2. *Charles Melbourne*, born 20 February 1902.
3. *Jaqueline Alice*, born 16, died 21, June 1896.
4. *Mary Dorothea*, born 31 December 1903.

CREATIONS.—15 April 1703 Earl of Hopetoun, Viscount of Aithrie and Lord Hope in the Peerage of Scotland; 3 February 1809, Baron Hopetoun of Hopetoun; 17 May 1814, Baron Niddry of Niddry; 27 October 1902, Marquess of Linlithgow, in the county of Linlithgow, in the Peerage of the United Kingdom.

ARMS (recorded in the Lyon Register).—Azure, on a chevron or, between three besants a laurel leaf vert.

CREST.—A broken terrestrial globe, surmounted by a rainbow proper.

SUPPORTERS.—Two female figures representing Hope habited proper, each resting the exterior hand on an anchor.

MOTTO.—*At spes non fracta.*

[J. B. P.]

GORDON, EARL AND MARQUESS OF HUNTLY, AND DUKE OF GORDON

GORDON (with its variations, Gordin, Gordone, Gordun, Gordune, Gordyn, Gourdon) appears as a place-name in France as well as in Scotland, and probably elsewhere, and means in Welsh, 'Gordin,' a spacious hill, or in Gaelic, 'goat hill.'[1] This description applies to the locality of the village and parish of Gordon, the latter, however, at one time comprehending a larger extent than it does now.[2]

Owing no doubt to the recurrence of the place-name in other countries it has been asserted that the Scottish Gordons are of foreign origin, and that they came northward, obtained a grant of lands in Berwickshire, to which they gave their own name. Family tradition tells of a Gordon in the days of Malcolm Canmore, who followed that King when, in 1093, he made his last foray into Northumberland, but surnames were not then known.

[1] *Place-names of Scotland*, by James B. Johnstone; cf. *Caledonia*, ii. 385. [2] The Duke of Richmond and Gordon is still feudal superior in the parish, raising an action in the Court of Session over his rights in 1902. See two articles by J. M. Bulloch in the Aberdeen *Free Press*, 31 December 1904 and 7 January 1905.

Huntly

Another Laird of Gordon is said to have fallen at the battle of the Standard, 22 August 1138, though the contemporary account of that conflict makes no mention of such a person. These are parts of the family tradition not necessarily untrue, but unsubstantiated. There was certainly, as will be shown, a family named Gurdon or Gordun, in the south of England. Yet it does not follow that the family were foreign settlers. It has been suggested that they were cadets of the family of Swinton, as the coat-of-arms borne by the two families is the same.[1] Whether this be so or not, and it is not disproved by the fact that they were long at feud, the name Gordon does not occur as a surname on record till after 1171 at the earliest, and was probably assumed by the then owners of the lands of Gordon, who may have been in possession for a long time under the Earls of Dunbar, the overlords of that neighbourhood.

Richard or Richer Gordon is the earliest of the name who has been found on record in Scotland. The first notice of him is in a charter by himself, granting to the monks of Kelso and to the church of St. Michael, in his town of Gordon, certain lands bounded as described, with others named. He also grants that they may place a chaplain in the church as they please. This charter is stated in a recent work on the Gordons[2] to be of date 1160, but the chapel of Gordon only came into the hands of the monks of Kelso in 1171, when the monks of Durham exchanged it for the chapel of Earlston, and the church of St. Laurence at Berwick.[3] The chapel of Gordon, which was under the mother-church of Home,[4] is styled a church in Richard's charter, and the latter was probably granted some years after 1171. Little more is known of Richard Gordon. He

[1] *Genealogist*, new ser., xv. 133; *Notes and Queries*, 29 March 1902. So also Nisbet in his *Heraldry*, i. 314 [or 308]. Could this descent be established, the antiquity of the Gordons would be assured by tracing their ancestry through Ernulf of Swinton (the assumed father of Richard and Adam) and Odard of Bamburgh up to Waltheof the Saxon Earl of Northumberland in 968, a pedigree which might account for their early traditions. [2] *The Records of Aboyne*, New Spalding Club, 1894, a work to which the writer acknowledges indebtedness, while not always in agreement with its conclusions. [3] Raine's *North Durham*, App., dcxliii., 18 October 1171. [4] *Liber de Calchou*, ii. 323. Gospatrick, second Earl of Dunbar, some time before 1138, granted the half of Gordon to the church of Home (*Ibid.*, 234).

is said to have died about 1170, but he and Adam of Gordon, perhaps a brother, appear as witnesses in a writ by Patrick, fifth Earl of Dunbar, to the monks of Durham, undated, but which, from comparison with other writs, was granted after 1182, and most probably between the years 1189 and 1199.[1] He was succeeded by his son,

Sir Thomas of Gordon, the date of whose accession cannot be clearly stated, as his charters are all undated. He confirmed his father's grants to the Abbey of Kelso.[2] He also made, before 1232, generous gifts to the nuns of Coldstream of flocks of sheep, with pigs and cattle and common pasture.[3] He received the rank of knighthood, as he is called *miles* in a charter by his son, dated after 1232, and he seems to have died about that date.

Sir Thomas of Gordon, younger, so called in his own charters, and described in one writ as son of Sir Thomas Gordon, Knight, appears as Laird of Gordon after 1232. He renewed and added largely to his father's grants to Kelso and Coldstream, his charters to the latter place being dated before 1248, certainly before 1253.[4] He is styled knight in writs dated in 1258.[5] He was alive on 28 August 1258, and is said to have died soon after. His wife's name was Marjorie, and he seems to have had no male issue, as he refers in his charters only to daughters. He was succeeded probably by the eldest,

Alicia of Gordon, who in her turn confirmed the grants to Kelso made by her predecessors. She describes herself as daughter and heir of Sir Thomas Gordon, younger. When she succeeded is uncertain, as, owing to the omission of witnesses' names, the great majority of charters granted by her, her father and grandfather cannot be dated with exactitude, but it was after 1258. She married Sir Adam Gordon, who is usually described as her cousin, though the exact relationship is doubtful, and his parentage is also uncertain. Some Gordon historians say that, as Alicia was great-granddaughter of the first Richard of Gordon, so Sir

[1] Raine's *North Durham*, App. No. cxvii. [2] *Liber de Calchou*, i. 97. [3] *The Cartulary of Coldstream*, Nos. 36, 39, 40. [4] *Ibid.*, Nos. 37, 38; *Liber de Calchou*, 88-94. [5] *Liber de Calchou*, i. 179.

Adam was great-grandson of the first Adam of Gordon, who is alleged to be Richard's brother. Adam is said to have had a son Alexander, who had the lands of Huntly,[1] and had two sons, William and Adam. William, it is said, went to the Crusades, and never returned to Scotland. He was succeeded, it is alleged, by his brother Adam, who was the father of Sir Adam.[2] Without entirely rejecting this descent, as the evidence on the point is meagre, it may be stated that the names of Alexander or William Gordon do not appear in any record. The name of Adam Gordon appears first between 1189 and 1199 as a witness along with Richard Gordon.[3] He or a later Adam appears at intervals in various writs, and in a charter dated about 1232, Adam Gordon and Adam, his son, are mentioned.[4] The latter may have been the Sir Adam Gordon, Knight, who is a witness on 9 December 1251 to the ratification by Patrick, seventh Earl of Dunbar, of the sale of his father's horses,[5] and this Sir Adam may be identical with the husband of Alicia.

The family historians have attributed to this Sir Adam Gordon a romantic history by identifying him with the Sir Adam Gurdon, Knight, who had a personal encounter with Prince Edward (afterwards King Edward I.) of England. This encounter took place in 1266, and ended in the discomfiture of Sir Adam, who was wounded, but for his bravery received special commendation and courtesy from the Prince.[6] The story is told by the English chroniclers, and leads to a question which has been raised as to whether Sir Adam Gordon of Scotland was not of English descent. That there was a family of Gurdon in England in Hampshire at the period is indisputable, and Adam was a prominent name amongst them, but there are good reasons for doubting that the husband of Alicia was one of the English Gurdons, as the dates and marriages do not agree.[7] Further, on 30 September 1255, a papal dispensation was

[1] This is Huntly in Berwickshire. [2] *Records of Aboyne*, 355. [3] Raine's *North Durham*, App. No. cxvii. [4] *Chartulary of Coldingham*, Nos. 2, 35 (between 1210 and 1221), 39 (*c.* 1232), 40; *Liber de Melros*, i. 196, 197. [5] *Liber de Melros*, i. 291. [6] *Flores Historiarum*, Rolls ser. iii. 10. [7] *Calendarium Genealogicum*; *Calendar of Inquisitions*, Henry III. A pedigree of the Gurdons of Assington, Suffolk (Harleian MSS., 1560, f. 110), spells the name throughout as Gordon.

issued for the marriage of Adam de Gurdun, Knight, and Constance, daughter of John Vernuz, which marriage took place, and subsisted until about 1292.[1] This is no doubt the hero of the duel.

Sir Adam Gordon, some time after his marriage, granted to the monks of Dryburgh, on behalf of himself and Alicia, his spouse, certain rights of pasturage and peatary in his lands of Fawnes, co. Berwick. A recent writer on the Gordons suggests that this was done in preparation for Sir Adam's departure for the Crusade under King Louis XI. of France in 1270, and the writer adds that Sir Adam, as did a number of other Scots knights, died on the expedition.[2] This statement may be true, but there is no record or authentic evidence for it. Ferrerius, in his history of the Gordons, states that a William Gordon at this period went as a Crusader, and died in 1270. As, however, the name of William Gordon is nowhere on record, it has been assumed that Sir Adam was the Crusader, though the narrative has no recorded basis. Suffice it to say, Alicia Gordon survived her husband, as appears from a charter to the Abbey of Kelso, granted by her in her widowhood.[3] She is said to have died in 1280,[4] but no authority is given. The next on record is

Adam of Gordon, of whom little is known. He is named in a charter by his son,[5] and this is almost the only reference to him on record. Ferrerius says he was the son and successor of the so-called William, and that he died on 14 September 1301. This is very precise, but it seems more probable that he was the Adam Gordon who deceased in or before 1296, and whose widow, Marjorie, received, on 3 September 1296, an order from King Edward I. of England for restitution of her rights in the Berwickshire lands. This suggests that Adam Gordon was of the patriotic party, and that his lands had been forfeited, but on this point all is conjectural. He was succeeded by

Sir Adam Gordon, who first appears on record as doing homage to King Edward I. at Elgin on 28 July 1296,[6] and

[1] *Cal. of Papal Letters*, i. 323; *Calendarium Genealogicum*, i. 449, 680. [2] *Records of Aboyne*, 356. [3] *Liber de Calchou*, 87. [4] *Records of Aboyne*, 356. [5] *Liber de Calchou*, 86. [6] *Cal. Doc. Scot.*, ii. 195. The charter by him to Kelso was probably dated before his knighthood.

then held the rank of Knight, which negatives Ferrerius' suggestion that he was so created by King Robert Bruce for his services. He is said to have joined Wallace, but there is no definite proof of this. In 1300 he was Warden of the East March, and in the following year an envoy to treat of peace at the instance of France.[1] He surrendered to Edward with John Comyn of Badenoch in February 1303-4, and later on, in 1305, was appointed one of the Scots Commissioners to the English Parliament. For his adherence to Comyn's party he was fined three years' rent of his lands, but was appointed one of the Justiciars of Lothian under the English rule, a post which he held until 1312. In 1306 he held the castle of Inverkip in the English interest, and was ordered to keep Sir Thomas Randolph a sure prisoner there.[2] Two years later he had a grant from King Edward of Randolph's lands of Stichel, on 4 March 1308-9,[3] which was the first time that property came into the family. In 1310 he had a grant of 100 merks to recompense him for the loss of his lands in Scotland, which shows that he was then opposed to Bruce, who was beginning to gain supremacy in Scotland. It was not until the end of 1313 that Sir Adam forsook his allegiance to England, a fact which refutes Ferrerius' statement that he received the lordship of Strathbogie from Bruce at Perth on 16 June 1311. The cause of his final break with England was the answer of King Edward II. to a petition presented by the Earl of Dunbar and Sir Adam on behalf of those of the English adherents in the south of Scotland, complaining that their lands and goods were harried, not only by the loyal Scots, but by the English commanders, one of whom had unjustly imprisoned Sir Adam himself, exacting a fine of 1000 merks, and who refused redress.[4] Edward promised that he would lead an army into Scotland, which he did, and was defeated at Bannockburn. This interview with the King, and a formal release from his security of 1000 merks,[5] are the last notices of Sir Adam in the English records. It has been stated that the reason why he was imprisoned was because his loyalty to England was sus-

[1] *Cal. Doc. Scot.*, Nos. 1169, 1244. [2] *Ibid.*, No. 1807. [3] *Ibid.*, iii. No. 76. [4] *Ibid.*, No. 337. [5] *Cal. Doc. Scot.*, iii. No. 344. *The Records of Aboyne* inadvertently has £1000.

pected, but this is doubtful. His treatment, however, by the English King apparently led to his joining Bruce either before or after Bannockburn. In any case, his services were rewarded by a new charter of the lands of Stichel, on 28 June 1315, to himself and William Gordon, his second son, granted by the Earl of Moray, and confirmed by King Robert.[1]

In 1320 he was Ambassador from Scotland, carrying to Pope John XXII. the famous letter by the Scottish barons dated 6 April 1320.[2] The story of his embassy is told in *The Records of Aboyne*. Suffice it to say he was successful, and probably it was on his return that he received the grant of Strathbogie, the first land held by his family in the North. The writ itself is not extant, and is only known by being cited in a charter by King David II. Its date cannot therefore be ascertained. It has been stated that Strathbogie was forfeited by decree of the Parliament held at Scone in December 1319,[3] but there was no Parliament held at Scone on that date. There is a memorandum of the grant from a missing roll of charters, but the ascertained dates of that roll vary from the eighth to the eighteenth year of King Robert's reign, and furnish no precise clue to the date of Sir Adam's grant. It is probable, however, the grant was made later than 1319, and in return for special services. It may be noted as at least a coincidence that his youngest son, Mr. Thomas, was in 1323 made a canon of Moray.

It was probably after his return from Rome that Sir Adam made a raid on Norham Castle with intent to carry off the cattle of the garrison, but he and his party were driven back across the Tweed.[4]

Little more is recorded of Sir Adam. He appears as a witness to charters towards the end of King Robert's reign, and seems to have died shortly before the King. His wife, whose family is unknown, was named Amabilla.[5] He had issue:—

1. SIR ADAM, who succeeded.

[1] Wood's Douglas, ii. 23. [2] *Fœdera*, Rec. Ed. ii. 432; *Reg. of Papal Letters*, ii. 427. [3] *Records of Aboyne*, 362; *Acta Parl. Scot.*, i. 71, *red ink*. [4] Scalacronica, in *Scottish Historical Review*, iii. 465, 466, where the date is not stated, but the incident is related before events of 1323. [5] *Liber de Calchou*, i. 86.

2. *William*, who is first mentioned in January 1309-10 as getting a sum of 20 merks, bestowed on his father by King Edward II.[1] The charter of Stichel, on 28 June 1315, was granted to him as fiar, and he was the ancestor of the Gordons of Lochinvar, Viscounts Kenmure. (*See that title.*)
3. *John*, referred to in a charter by his father of uncertain date as present at a perambulation of certain lands granted to the Abbey of Melrose.[2] On 1 April 1313 King Edward II. wrote to Pope Clement V. recommending John and Thomas, sons of Sir Adam, to the care of his Holiness.[3] Nothing further is known of John Gordon, and it is not clear whether he actually took holy orders. He may be the John Gordon whom Ferrerius and Gordon of Straloch celebrate as performing a feat of bravery at Berwick, and being killed there.[4]
4. *Mr. Thomas*, named along with his brother John in King Edward's letter to the Pope. It was probably he who obtained the rectory of Linton in St. Andrews diocese about 1320, and was then under twenty years of age. In 1323, and again in 1330, he was required to pay 100 merks to the Papal Camera for a dispensation to retain his benefice. He was also provided in 1323 to a canonry of Moray diocese, and had the office of notary conferred on him in 1351.[5]
5. *Mary*, who married Sir Walter FitzGilbert, ancestor of the ducal house of Hamilton, was probably the daughter of this Sir Adam. (*See title* Hamilton.)

Sir Adam Gordon succeeded his father apparently toward the end of Bruce's reign, as about that date he confirms a charter by his father to the monks of Melrose.[6] He was one of the leaders of the army which fought at Halidon, being in the division commanded by John Randolph, Earl of Moray. He is sometimes said to have been

[1] *Cal. Doc. Scot.*, iii. No. 299, assigned to a wrong date 1312-13. [2] *Liber de Melros*, 375. [3] *Fœdera*, Rec. Ed., ii. 207. [4] Ferrerius gives the date 1367. Straloch has 1337. This exploit is assigned to a later John Gordon, but Ferrerius is so confused in his names and dates at this period that the true actor (if the incident occurred) is not certain. [5] *Register of Papal Letters*, ii. 236, 348; iii. 451. [6] *Liber de Melros*, 376.

killed in the battle on 19 July 1333, yet he appears as a witness in a charter of uncertain date, but which must be later than 1333 and may be about 1343, though not later than 1346.[1] He is probably the Laird of Gordon who is said by Ferrerius to have died in 1351. He was succeeded by

John Gordon, who is first named in a writ of 12 August 1357[2] as one of certain prisoners taken by the English for whose release negotiations were going on. He is usually said to have been taken prisoner at Durham in 1346, but it is clearly shown that he was taken along with Archibald Douglas (afterwards third Earl of Douglas). Now Douglas had, by the ruse of a friend, escaped from the battle of Poictiers 19 September 1356,[3] and it is stated that he, with John Gordon and others, were taken in time of truce by some misadventure which has never been explained. The truce had been made in May 1357 and the incident had taken place since then, while the prisoners were set free before November in that year.[4] John Gordon therefore was only a short time a captive. In the following year, on 20 March 1357-58, King David II. confirmed to Gordon the grant of the lands of Strathbogie made to his grandfather, Sir Adam.[5] He did not, however, enjoy his possessions long, as he died before February 1360-61. His wife's name was Elizabeth, as appears, first, from a safe-conduct to her to visit friends in England, issued some time after her husband's release,[6] and secondly, after his death, from a dispensation issued about February 1360-61 (though afterwards cancelled) for her marriage with Sir Robert Livingstone, he and her late husband being related in the fourth degree.[7]

John Gordon had issue:—

1. Sir John, who succeeded his father.
2. Sir Adam, who succeeded his brother.

Sir John Gordon, who succeeded, had from King

[1] *Registrum de Dryburgh*, 232; cf. 271. Sir Robert Keith, one of the witnesses, was killed at Durham. [2] He has been credited with a feat of bravery at Berwick in 1337, but the evidence is doubtful, and the hero is said to have been killed. [3] *Douglas Book*, i. 322, 323. [4] *Rotuli Scotiæ*, i. 808, 817. [5] Recorded in *Reg. of Deeds* (Durie's office), vol. 138, on 15 September 1713. [6] *Rotuli Scotiæ*, i. 824. [7] *Papal Petitions*, i. 365.

Robert II. on 16 June 1376 a renewed confirmation of the charter of Strathbogie granted by King Robert Bruce to his great-grandfather, Sir Adam.[1] This appears to be the earliest notice of him after his father's death, and in the writ he is designed simply John Gordon, not having attained knighthood. He may have been a minor for some years after his succession. In the next year, 1377, he took an active part in fighting against the English, who in retaliation for the Earl of March's attack on Roxburgh, raided Gordon's lands and goods. He also defeated at Carham a superior English force under Sir John Lilburn. In this conflict he was severely wounded, but recovered. He also took part in the combat at Melrose under the leadership of Sir Archibald Douglas, when Sir Thomas Musgrave, Warden of Berwick, was made prisoner.[2]

He is also said to have been present at the battle of Otterburn on 5 August 1388, but he was not killed there, as he was witness to a charter by Andrew Leslie of that Ilk, of date 30 May 1391, before which date he had been made a knight, and is also styled Laird of that Ilk.[3] He died between that date and 11 October 1395, when the relief duty of his lands of Strathbogie, amounting to 700 merks, was bestowed upon Sir Malcolm Drummond.[4]

Sir John was not legally married, so far as known, but there is clear evidence that he had two sons—whose mother is said to have been Elizabeth Cruickshanks, daughter of the Laird of Aswanley—the 'Jock' and 'Tam' Gordon of popular fame, styled natural sons, but probably the offspring of a handfasting union, who in the Highlands were not accounted illegitimate, though not recognised by the law or the Church.[5]

1. *John*, styled of Essie or Scurdargue. His parentage is clearly set forth in a charter dated 31 May 1418, by William Fraser of Philorth, granting to John of Gordon, son natural of the late Sir John of Gordon,

[1] *Reg. Mag. Sig.*, fol. vol. 129, No. 11. [2] Fordun *à* Goodall, ii. 384; Wyntoun's *Cronykil*, Laing's ed., iii. 9-12; *Cal. Doc. Scot.*, iv. No. 252. [3] *Antiq. of Aberdeen and Banff*, i. 540. [4] *Acta Parl. Scot.*, i. 581. [5] Jock and Tam and their position in the Gordon pedigree have for long been subjects of discussion, but the charter quoted in the text seems to set the question at rest. See *The Thanage of Fermartin*, by the Rev. William Temple. The arguments need not be repeated here.

Knight, lord of that Ilk, his lands of Ardlach with mill of Badychale in the barony of Aberdour and sheriffdom of Aberdeen; to be held to said John and to the lawful heirs-male of him and Elizabeth, now his spouse; whom failing, to his heirs-male by any other wife; whom failing, to *Alexander*, son natural of said John, and the heirs-male of his body; whom failing, to *Adam*, son natural of said John, and the heirs-male of his body; whom failing, to *Thomas* of Gordone, brother of said John, and the heirs-male of his body; whom failing, to the lawful heirs of Gordone: the reddendo being a pair of white gloves yearly at Whitsunday.[1]

John Gordon married Elizabeth Maitland (called by some writers Margaret), daughter of Robert Maitland of Netherdale,[2] and had issue by her three sons:—

(1) *John*, ancestor of the Gordons of Pitlurg, etc.
(2) *William*, ancestor of Lesmoir,[3] Craig, etc.
(3) *James*, who is claimed as the ancestor of the Gordons of Haddo, Earls of Aberdeen, etc.

John Gordon had also the natural sons named above, *Alexander*, who is probably the Alexander said to be his son by a handfasting union with a daughter of Macleod of Harris, ancestor of the Gordons of Buckie,[4] and *Adam*, of whom nothing is certainly known.

2. *Thomas*, named with his brother John in the charter cited. He was popularly known as 'Tam o' Riven,' or Ruthven, a place now in the parish of Cairnie. He married, first, a sister of Sir Thomas Hay of Enzie; second, a daughter of Sir Walter Innes of that Ilk; and, third, a daughter of —— Chisholm of Strathglass. He is said to have had sixteen sons.[5]

Sir Adam Gordon succeeded to his brother. In October 1398 he was, on account of 'unmesurit harmes,' excepted from free exchange of prisoners on the Marches, and was obliged to appear before the Border Commissioners as a

[1] *Antiq. of Aberdeen and Banff*, ii. 378, 379. [2] *Thanage of Fermartin*, 308. See also for John Gordon's posterity the *House of Gordon*, i., by J. M. Bulloch. [3] *House of Gordon*, vol. ii. [4] *Ibid.*, i. (56). [5] See also *ibid.*

common truce-breaker under a fine of £1000.[1] On 20 January 1398-99 he granted, as Adam Gordon, lord of that Ilk, a bond to William le Bard of Kirkwood.[2] When the Earl of March in 1400 passed to the service of King Henry IV. and his Scottish estates were forfeited, Gordon was granted the superiority of his lands of Gordon and Fogo, and thus attained baronial rank.[3] He is styled Lord of Gordon among the barons in the English accounts of the battle of Homildon, and Sir Adam Gordon, Knight, in writs of a later date, which corroborates the story told by Bower, and elaborated by Sir Walter Scott in his drama of Homildon Hill, how the Lord of Gordon, charmed by the bold advice of Sir John Swinton, though their families had been long at feud, sprang from his horse, knelt at Sir John's feet, and begged the honour of knighthood at his hand. They then rushed side by side against the enemy, and fell together in the battle on 14 September 1402. Bower carefully distinguishes Gordon before his receiving the accolade as Lord of Gordon, and after it as Sir Adam Gordon, Knight.[4] He is so designed in charters to his daughter after his death.

Sir Adam, according to Ferrerius, married the only daughter of the Laird of Somerville, but this seems to be a perversion of a fact to be stated later. There is better evidence that his wife was Elizabeth Keith, fourth daughter of Sir William Keith, Marischal of Scotland, by his wife, Margaret Fraser, only child and heiress of Sir John Fraser, and granddaughter of Sir Alexander Fraser, who held the territory of Aboyne and other lands in the shires of Aberdeen, Kincardine, and Forfar.[5] The marriage probably took place before or about 1380, as Elizabeth Keith's eldest sister, Muriel, married, in 1379, as his second wife, Robert, Earl of Fife and Menteith. Elizabeth Gordon survived her first husband; married, secondly, Sir Nicholas Erskine of Kinnoull,[6] who left her again a widow before December 1406; and, thirdly, Thomas Somerville, probably the Thomas Somerville who was Lord of Carnwath.[7] She, under the

[1] *Cal. Doc. Scot.*, iv. No. 510. [2] Charter *penes* Sir Archibald Edmonstone. [3] *Tenth Rep., Hist. MSS. Com.*, App. vi. 77. [4] Fordun *à* Goodall, ii. 434. [5] *Frasers of Philorth*, i. 65-74, 81-85. [6] Kilsyth charter, 14 December 1406, cited below. [7] This marriage has apparently been misinterpreted by Ferrerius.

designation of Elizabeth of Keith, Lady of the barony of Aboyne, with consent of Thomas Somerville, her husband, granted, on 20 October 1431, infeftment of certain lands in the barony of Aboyne to Sir Alexander Forbes.[1] She had thus succeeded to her mother, Margaret Fraser, in some at least of her large estates, including Aboyne and Cluny. She died about 1436, as in 1437 these lands were in possession of her daughter, whose husband lifted the rents.[2] Sir Adam Gordon and Elizabeth Keith had issue a son and daughter:—

1. JOHN.
2. ELIZABETH, who succeeded her brother,

JOHN GORDON, who was entirely unknown to the family genealogists until his existence was demonstrated in the *Records of Aboyne*.[3] On Tuesday, 14 December 1406 Elizabeth Gordon, 'the spouse qwilum' of Sir Nicholas Erskine, Lord of Kinnoull, let her terce lands of Gordon, Fogo, and Strathbogie, and of Kinnoull and Maler, to her son 'Jhone of Gordoun' for a term of five years. The rent is not named, but was to be as much as John could let the lands for, and to be paid wherever his mother was, or to whom she named.[4] He was probably the 'John Gordon' who had a charter from King Robert III. of the lands of Strathbogie.[5] He married Agnes, daughter of James Douglas, Lord of Dalkeith, relict of Sir John Livingston of Callendar, who was killed at Homildon.[6] John Gordon died before 7 March 1407-8, without issue, and was succeeded by his sister.

ELIZABETH GORDON, who succeeded to her brother, is first named in a writ of 27 March 1407-8. Her ward and marriage had been granted by Robert, Duke of Albany, to his son-in-law, Walter Haliburton of Dirleton, and these casualties were purchased from the latter by Sir William Seton of that Ilk, whose ward Elizabeth became.[7] A few months later she was married to Alexander Seton, Sir

[1] Forbes Charter cited in *Records of Aboyne*, 376. [2] *Exch. Rolls*, v. 9. [3] He is also referred to in *The Thanage of Fermartin*. [4] *The Thanage of Fermartin*; original writ in Charter-chest of Sir Archibald Edmonstone of Duntreath. [5] Robertson's *Index*, 147. The charter appears too late to be granted to his uncle, as sometimes stated. [6] *The Livingstons of Callendar*, 1889, by E. B. Livingston, 13; *Records of Aboyne*, 371. [7] *Reg. Mag. Sig.*, fol. vol. 232, No. 25.

William's second son, as on 20 July 1408 she and her husband received from the Regent Albany a charter of the lands of Gordon, Fogo, Strathbogie, and others,[1] to be held to the spouses and their lawful heirs.

The chief line of the Gordons thus merged in the family of Seton, as Alexander Seton was the second or younger son of Sir William Seton of Seton by Jonet Fleming, daughter of Sir David Fleming.[2] A witness in 1437 testified that she was the mother of Alexander Seton,[3] whom it was proposed to marry to his cousin, Elizabeth Erskine, who, however, married Duncan Wemyss of Reres in 1398. He is said to have been the instigator of the murder, on 14 February 1405-6, of Sir David Fleming of Biggar.[4] After his marriage, Alexander Seton is styled Lord of Gordon, and he took an active part in the public affairs of his day. He fought at the battle of Harlaw in 1411. Later he received the rank of knighthood, before 1419,[5] and in 1421-22 he went to France, and while there he visited King James, who was then in that country.[6] When that monarch was restored to his own country, Seton, who had negotiated for his release, was one of the first hostages for him, but he was released in June 1425, after a year's sojourn in England.[7] In that year, on 6 December, he had a charter from Alexander Stewart, Earl of Mar, of half the lands of Culclarochy and part of Gerry in the barony of Drumblade.[8] In 1431, 1437, 1438, and 1439 he was in England on embassies, and is referred to as receiving gifts.[9]

A well-known Peerage writer expresses the opinion that Sir Alexander Seton was, about 1436 or later, created a Lord of Parliament as Lord Gordon. 'The existence of this barony of Gordon in 1437,' we are told, 'is fixed by legal evidence recovered from the Gray Charter-chest,

[1] *Reg. Mag. Sig.*, 235. [2] In the *Family of Seton*, vol. i., Sir William's wife is said to be Catherine Sinclair of Herdmanston, but a charter, cited vol. ii. 845, shows she was the wife of his son John. [3] *Reg. de Panmure*, ii. 230. [4] Fordun *à* Goodall, ii., where Sir David is referred to as the uncle of Alexander. In 1402 (vol. ii. of this work, 223) Sir William Seton styles Sir David his brother. This does not tally with the usual pedigrees of the Wigton family, but an explanation may be found. [5] *Antiq. Aberdeen*, etc., iv. 181. [6] *Exch. Rolls*, iv. Pref. lxxxiv. [7] *Cal. Doc. Scot.*, iv. Nos. 942, 981, 983; *Rotuli Scotiæ*, ii. 302-315 *passim*. [8] *Antiq. Aberdeen*, etc., iii. 517. [9] *Cal. Doc. Scot.*, iv. No. 145.

which, besides styling Alexander Seton (son and heir-apparent of the first Peer) a noble and potent Lord, also gives him the title of Master of Gordon,' etc.[1] On the same page, however, the writer tells us that at this period the words 'noble Lord' does not alone imply a baronial Peerage or a lordship of Parliament, so that we cannot lay stress on a writ of 26 November 1436, where 'a noble and potent lady, Elizabeth, spouse of a noble and potent lord, Alexander of Seton, Lord of Gordon,' is referred to, nor on the fact that 'a noble lord, Schir Alexander, Lord of Gordon,' first appends his seal on the part of the barons after the Earl of Douglas to an agreement in Parliament between the Queen and the Livingstons, dated 4 September 1439.[2] But if in a writ in the Gray Charter-chest of 14 October 1437 the younger Alexander Seton appears as 'Magister de Gordon,' another writ a fortnight later, 2 November 1437, simply describes him as son and heir of his father.[3] It is evidently the son who bears the same designation of Master of Gordon as a witness in two writs not referred to by Riddell, dated the first on 20, and the second 26, February 1439-40.[4] The elder Alexander is nowhere styled 'Lord Gordon,' but always 'Lord of Gordon,' and in 1455-56, many years after his death, he is referred to as 'the late Dominus Alexander de Seton de Gordon, *miles*,' which was also his designation in 1419 and 1429.[5] Further, his son, though as stated he is styled in some writs 'Master of Gordon,' is in other writs of same date designed as 'Sir Alexander Seton, Knight, son of Sir Alexander Seton, Lord of Gordon,'[6] or as Sir Alexander Seton of Tullibody.[7] Even after his succession to the assumed title, the son is never designed Lord Gordon between 1441 and 1445, but as Sir Alexander Seton of Gordon,[8] and in 1446 he is described by the same style, with the addition 'now Earl of Huntly.'[9] The creation of the title of Lord Gordon therefore appears to be doubtful, and the title of Earl was probably the first in the family.

[1] Riddell's *Peerage Law*, i. 349 *note*. [2] *Ibid.*; *Antiq. Aberdeen*, etc., iii. 317; *Acta Parl. Scot.*, ii. 54. [3] Original writs in Gray Charter-chest. [4] See Note 8, and *Reg. Mag. Sig.*, 2 March 1439-40, where he is styled Sir Alexander of Seton, Master of Gordon, Knight. [5] *Antiq. Aberdeen*, etc., iv. 205; cf. 390, and 181. [6] *Records of Aboyne*, 381. [7] *Reg. Mag. Sig.*, 13 May 1440. [8] *Ibid.*, iv. 341, 395; cf. 419. [9] *Acta Parl. Scot.*, ii. 56.

Sir Alexander died between 31 August 1440[1] and 3 April 1441, when his son was in possession. Elizabeth Gordon predeceased him on 16 March 1438-39, dying at Strathbogie, and was buried in St. Nicholas' Church in Aberdeen.

They had issue:—

1. ALEXANDER, who succeeded, afterwards first Earl of Huntly.
2. *William*, who married Elizabeth, surviving daughter and heiress of William Meldrum of that Ilk, and became the ancestor of the Setons of Meldrum. He was killed at the battle of Brechin, 18 May 1452. He is represented by Sir William Samuel Seton of Pitmedden, Bart.
3. *Henry*, killed with his brother William on 18 May 1452.
4. *Elizabeth*, said to be married to Alexander, Earl of Ross, who died in 1449.

I. SIR ALEXANDER SETON, eldest son of Sir Alexander Seton and Elizabeth Gordon, succeeded his father before 3 April 1441. He is mentioned on record in 1427 and 1438 in connection with his first marriage. It was probably he who in 1435 was one of the Scottish gentlemen who attended the Princess Margaret of Scotland on her voyage to France to marry the Dauphin. The Chronicler describes him as 'Master of Gordon.'[2] He is styled Alexander of Seton, Master of Gordon, Lord of Tullibody, when, on 20 February 1439-40, he stood up in a General Council at Edinburgh and protested that none of the writs made by his mother or grandfather should prejudice himself. But in a charter three days later, 23 February 1439-40, relating to the same matter, he is designed Sir Alexander Seton of Tullibody, and heir of Elizabeth Gordon, late lady of that Ilk, when he confirmed an excambion made between the deceased Sir William Keith and Margaret Fraser (his grandparents) and the deceased William Lindsay, Lord of Byres, of certain lands in exchange for Dunottar.[3] On 3 April 1441 Sir Alexander Seton resigned his lands in the King's hands and received a charter to himself and Elizabeth, his

[1] He is named in a charter by his son of that date (*Reg. Mag. Sig.*, 8 July 1450), and was apparently then alive. [2] Fordun *à* Goodall, ii. 485. [3] *Third Rep. Hist. MSS. Com.*, App. 405, 409; *Reg. Mag. Sig.*, 13 May 1440.

spouse, of the lordships of Gordon, co. Berwick, and Strathbogie, co. Aberdeen, the lands of Aboyne, Glentanner, and Glenmuick, all in Aberdeenshire, with Panbride in co. Forfar, to be possessed by Sir Alexander in liferent, and by George of Seton their son in fee, and the lawful heirs-male of his body.[1]

The lands of Aboyne, Glentanner, Glenmuick, and Panbride had belonged to his mother, through his grandmother Elizabeth Keith, 'Lady of Aboyne,' and a dispute arose between Sir Alexander and his kinsman Sir William Keith, the Marischal of Scotland. The parties and their friends met at Cluny on 1 August 1442, where an amicable arrangement was come to, and Seton bound himself to fulfil a contract (date not stated) formerly made between his father, his mother, and himself on one side, and Sir William Keith and his wife Mary on the other side.[2] About the same period, or in 1444, he made a friendly arrangement with James Forbes, younger of that Ilk, as to certain lands.[3] He had also a grant for life of the barony of Kinedward from Alexander, Earl of Ross and Lord of the Isles.[4]

Sir Alexander Seton was, in or about 1445, raised to the Peerage as EARL OF HUNTLY. This honour was conferred on him some time between 30 October 1444 and July 1445. Bower states positively that he was created Earl of Huntly in 1445, without naming the exact date, but it may have been in the June Parliament of that year, as on 3 July he witnesses a charter to James, Lord Hamilton, where he appears as the latest Earl, after Moray and Ormond, created in the same year.[5] Shortly after this, in January 1445-46 he was drawn, probably because of his feudal obligations, as he held his lands of Panbride from Ogilvy of Inverquharity, into the struggle between the Ogilvies and Lindsays for the office of Justiciary to the Abbey of Arbroath. He was present at the conflict which took place at the gates of Arbroath on 23 January 1445-46, when the Ogilvies were defeated and the Earl was obliged to flee from the field.[6] During the next few years he appears as

[1] *Acta Parl. Scot.*, ii. 56, 57. [2] *Reg. Mag. Sig.*, 30 October 1444. [3] *Antiq. Aberdeen*, etc., iv. 341. [4] *Reg. Epis. Aberdonensis*, i. 241. [5] Fordun *a* Goodall, ii. 341; *Acta Parl. Scot.*, ii. 59. [6] Pitscottie's *Chronicle*, Scot. Text Soc., i. 54, 55.

taking part in local affairs, and in January 1449-50 he had another charter of the same lands and baronies as before to himself and his heirs by Elizabeth his Countess.[1] He further became the King's tenant in, or at least occupied, the lands of Bochrom, Kinninmund, which had been let to Sir William Forbes of Kynnaldy, but were now occupied by the Earl, regarding which the King was to be consulted. The Earl had also, as early as from the death of King James I., occupied Abergeldie,[2] for which, however, he paid rent. Later he attended at Court, and seems to have lent money to the King.[3] Perhaps as a reward for such services, he received a charter, on 28 April 1451, of the lordship of Badenoch and Castle of Ruthven, which refutes the statement that they were granted for his conduct at the battle of Brechin. This conflict took place in the following year, when Huntly, as Lieutenant-General of the North, raised the King's banner against the Earl of Crawford, then in rebellion against the Crown. The parties met at Brechin, where a fierce conflict ensued in which Huntly was victorious, though he lost many men and two of his brothers. At a later date the Earl obtained the restoration of Crawford to favour. In 1454, notwithstanding the defeat of a party of his followers at Dunkinty, Huntly regained the upper hand, and the Douglas faction in the North were entirely overcome.

He seems to have changed the family name from Seton to Gordon about this time. In a remission to him and his son on 7 March 1456-57, the latter is styled George Seton.[4] But in the following writ George and his brothers are named Gordons. In 1458, the Earl and his Countess again resigned their lands, the earldom of Huntly, comprehending Strathbogie, Aboyne, Glentanner, and Glenmuick in Aberdeenshire, the lordship of Badenoch in Inverness, Enzie in Banffshire, Gordon and Huntly in Berwickshire; and on 15 March 1457-58, King James II. regranted the lands to the Earl for his lifetime, with remainder to George de Gordon his son and the lawful heirs-male of his body; whom failing, to Alexander de Gordon, brother-german of George, and his lawful heirs-male; whom failing, to William de

[1] *Reg. Mag. Sig.*, 29 January 1449-50. [2] *Exch. Rolls*, v. 367, 519, and vi. 68. [3] *Ibid.*, v. 462, 464. [4] *Antiq. of Aberd. and Banff*, iv. 203.

Gordon, brother of Alexander, and his lawful heirs-male; whom failing, to the lawful heirs-male of the body of the Earl; whom all failing, to the true, lawful, and nearest heirs of said George de Gordon whomsoever.[1] After this the Earl does not appear often on record. He is said to have joined King James during the siege of Roxburgh just before he received his death-wound. Four years later, in 1464, he had a quarrel with the Bishop of Moray as to the rents of certain church lands, and was obliged to submit to the prelate and pay the money.[2] The same year, the town of Kingussie in Badenoch was erected into a burgh of barony in the Earl's favour.[3] According to Ferrerius the Earl died at Huntly on 15 July 1470, and was buried in the cathedral church of Elgin.[4]

The first Earl of Huntly married, on or about 8 January 1426-27, Egidia, daughter and heiress of John Hay of Tullibody. On that day King James I. granted to Alexander Seton and Egidia Hay, whom he shall marry, the barony of Tullibody, the forests of Boyne and Enzie, and barony of Kilsaurle, with the lands of Kinmundy in the barony of Kinedward.[5] The marriage was annulled some years later, it is said, at the instance of Sir William Crichton, afterwards Chancellor,[6] though he was not actually Chancellor when the separation took place, before 26 November 1438, when Egidia Hay granted to her 'cousin' Sir Alexander Seton the lands of Tullibody, but came into office in the following April or May.[7] Seton married, secondly, the Chancellor's daughter, Elizabeth Crichton, and on 18 March 1439-40 the spouses had a charter limiting the entail of the estates to their children only, with remainder (in case of a divorce) to Alexander's heirs whomsoever.[8] Elizabeth Crichton survived her husband, and was alive in 1471.[9] It is said by Ferrerius that she died 9 July 1479.

[1] Charter cited in *Records of Aboyne*, 391, from original at Gordon Castle. [2] *Reg. Epis. Moraviensis*, 230. [3] *Reg. Mag. Sig.*, 1 September 1464. [4] *Records of Aboyne*, 394. [5] *Reg. Mag. Sig.*, at date. The early date of this union, when Seton was only about eighteen, somewhat discredits the statement that his first wife was Jean Keith, daughter of Sir Robert Keith, by whom he is said to have obtained a great estate. It is probable this is a misplacing of the marriage with Elizabeth Keith already stated (*Records of Aboyne*, 393). [6] *Family of Seton*, i. 383. [7] *Records of Aboyne*, 394; *Douglas Book*, i. [8] *Records of Aboyne*, 394. [9] *Acta Auditorum*, 10.

The first Earl of Huntly had issue:—

1. *Alexander* Seton, son of the first marriage, who inherited his mother's estates, as to which later on there was a dispute between him and his half-brother George, Lord Gordon. He is said to have married Elizabeth, daughter of Thomas, Lord Erskine.[1] He was the ancestor of the family of Seton of Touch, now represented by Sir Bruce Maxwell Seton of Abercorn, Bart.
2. GEORGE, second Earl of Huntly.
3. *Sir Alexander* of Midmar, afterwards of Abergeldie.[2] He married Beatrice Hay,[3] said to be daughter of William, Earl of Erroll.
4. *Adam*, Dean of Caithness, who had several natural sons, and a daughter, *Elizabeth*, married to John Gordon of Deskford (see p. 536 *infra*), and he is represented by the Gordons of Beldornie, Wardhouse, Embo, Invergordon, Ardoch, Carroll, and others.[4]
5. *William*, named after Alexander, and described as brother of Alexander in the charter of 15 March 1457-58 already cited.[5]
6. *Margaret*, contracted, before 9 November 1457, to Nicholas, second Earl of Erroll, but for some reason, perhaps her death, the marriage did not take place.[6]
7. *Elizabeth*, married (contract dated 15 November 1461) to the above-named Nicholas, second Earl of Erroll, who died in 1470.[7] She married, secondly, before 12 July 1471, John, Lord Kennedy, having issue to both husbands. (*See titles* Erroll *and* Cassillis.)
8. *Christian*, married, before 8 July 1468, to William, Lord Forbes. (*See that title.*)

[1] *Family of Seton*, i. 335-337, etc. [2] *Records of Aboyne*, 219, 220; *The House of Gordon*, New Spalding Club (75). [3] *Sheriff Court Records of Aberdeenshire*, by David Littlejohn, LL.D., i. 11. [4] *Records of Aboyne*, 395; *Gordons of Invergordon*, 1906, by J. M. Bulloch. [5] *Records of Aboyne*, 391. [6] Vol. ii. of this work, 565. [7] It is not impossible that this Earl's betrothal to the elder sister and marriage to the younger is the foundation of Ferrerius' statement that the eldest daughter was betrothed to the Lord of the Isles, and died before marriage by a fall from her horse, when he married a younger sister. The wife of the Lord of the Isles at this time was Elizabeth Livingston. Ferrerius also errs in assigning Christian Gordon as wife to the Earl of Erroll, and he is ignorant of the name of Lady Forbes, and also of the existence of Catherine.

9. *Catherine*, contracted, on 30 September 1461, to marry Archibald, eldest son of George, Earl of Angus.[1] He was then a boy about twelve years old. The marriage, however, did not take place. (*See title* Angus.)

The Earl had also two daughters, whose mother is said to have been a Cumming of Altyre, known as the 'Fair Maid of Moray,' and described as his fourth [third] wife, but his second wife survived him.

1. *Janet*, married to James Innes of that Ilk. She died about 1470 or before 1473.[2]
2. *Margaret*, married, 26 June 1484, to Hew Rose, sixth Laird of Kilravock, and died about 1506.[3]

II. GEORGE, second Earl of Huntly, succeeded on or about 15 July 1470. He appears on record first as George of Seton, son of Alexander Seton and Elizabeth his wife, in the Crown charter of 1441, previously cited (p. 521). On 20 May 1455, in his contract with Elizabeth Dunbar, Countess of Moray, to be afterwards referred to, he is styled Master of Huntly, and was then a knight, while in a royal precept of 7 March 1456-57 he is named Sir George Seton, Knight.[4] In the following year he had finally assumed the surname of Gordon, as appears from a Crown charter of 15 March 1457-58.[5] After that he is styled George, Lord Gordon. He held the office of Keeper of the Castles of Kildrummy, Kindrochat, and Inverness, and drew pay for his services.[6] On the forfeiture of the Boyds in 1469 King James III. conferred on Lord Gordon some of their lands in Berwickshire, by a charter dated 7 February 1469-70.[7] By an agreement with his half-brother he obtained the lands of Kilsaurle and the forests of Boyne and Enzie, while he granted to his brother in turn the lands of Gordon, Huntly, Fogo, and others in Berwickshire.[8]

Soon after his accession to the title the Earl of Huntly became involved in strife with Alexander, Earl of Ross, and much blood was shed on both sides. The King inter-

[1] *Misc.* of Spalding Club, iv. 131; *Douglas Book*, iii. 89. [2] *Family of Innes*, 18, 19, 79. [3] *Familie of Kilravock*, 54, 55, 150, 151, 153. [4] *Misc.* of Spalding Club, iv. 128; *Antiq. of Aberdeen*, etc., iv. 203. [5] *Records of Aboyne*, 391. [6] *Exch. Rolls*, vii. [7] *Reg. Mag. Sig.* [8] *Ibid.*, 21 May 1470; 31 August 1472.

vened and Ross was summoned to answer for treason. He did not appear, and was forfeited, upon which expeditions were sent against him, one being headed by Huntly, who captured the castle of Dingwall, and forced Ross to sue for pardon. On 28 March 1476 King James III. wrote to Huntly, thanking him for taking Dingwall Castle, and at a later date promised to grant to the Earl one hundred merks worth of land, as a reward for his services.[1] The Earl was Crown Chamberlain in his own district, an office which brought him into collision with tenants of the Crown lands,[2] and on 10 October 1479 he was appointed Justiciary north of the Forth.[3]

In the struggles which took place between James III. and his nobility, Huntly at first opposed the King, but towards the end joined the loyal party, and after the King's death sought to avenge him. But he was soon received into favour by the new monarch. Passing over minor events, the Earl was, about 1498, made High Chancellor of Scotland, and in March 1499-1500, and October 1500, he held Justiciary Courts at Selkirk and Lanark.[4] He made an agreement with the Earl of Athol as to passage through their respective marches on 17 March 1500-1, and died at Stirling on or about 8 June in that year; he was buried at Cambuskenneth.[5]

The marriages of this Earl of Huntly have always been somewhat of a puzzle to genealogists, and even in the light of later research there is much that is obscure. His first marriage-contract was with Elizabeth Dunbar, Countess of Moray, the younger daughter of the deceased James Dunbar, Earl of Moray, and widow of Archibald Douglas, Earl of Moray, who was killed at Arkinholme on 1 May 1455. On the 20th of the same month, Alexander, Earl of Huntly, Elizabeth Crichton his Countess, and George, Master of Huntly, Knight, their son, contracted with the widowed Countess, who must have been a good deal older than her intended husband, that she should marry the Master of Huntly. She had no relatives to support her, those who were on her behalf being 'her men,' the captain

[1] *Misc.* Spalding Club, iv. 133, 134. [2] *Family of Rose of Kilravock*, 139. [3] *Records of Aboyne*, 401. [4] *Exch. Rolls*, xi. 320*, 353*. [5] *Misc.* of Spalding Club, iv. 176; *Cart. of Cambuskenneth*, preface cxxxvii; cf. *Exch. Rolls*, xi. 355; *Reg. Sec. Sig.*, 14 June 1501.

of her Castle of Darnaway and others, including Sir Richard Holland, Precentor of Moray, apparently the family chaplain, who in the poem of *The Houlat* records for all time his admiration of the 'Douglas, tender and true,' and who was specially attached to the 'Dow of Dunbar,' for whom no doubt he did his best to make conditions. She was to retain Darnaway till the marriage was completed, and then it was to be delivered to her and her spouse. The Countess and her men were to use their influence that Lochindorb should be delivered to the Earl of Huntly. Dispensation was to be sought for any canonical impediments, and the lady was not to be constrained except by her own will, to an immediate union.[1] Some have doubted if the contract ever took effect, but it seems certain that the marriage took place, as is expressly stated in the divorce of 1471, though if, as is highly probable, the object of it was to gain control over the rich province of Moray, it failed in its purpose. But the subsequent divorce of the spouses, under the sentence of the Church, is not to be assigned to that reason, but to the fact that Janet Dunbar, the eldest sister of the Countess, had been the wife of James, Lord Crichton, who was the Master of Huntly's uncle, thus rendering the union canonically illegal. It was dissolved some time before March 1459-60, apparently without issue, and Elizabeth Dunbar, before July 1463, became the second wife of Sir John Colquhoun of Luss, whom she survived, dying before March 1494.[2]

The Master's second wife was the Princess Annabella Stewart, youngest daughter of King James I., whom he married before 10 March 1459-60, when he and she had a grant from her brother, King James II., of two hundred merks of land of the lordship of Aboyne, resigned by the Earl of Huntly.[3] The Princess appears to have had no male issue, and six years after the marriage the Master was again a-wooing. His affections were directed towards Elizabeth Hay, sister of Nicholas, Earl of Erroll, his brother-in-law, and on 12 May 1466 he swore on the Gospels that he would have no 'actual delen' with the lady until

[1] *Misc.* of Spalding Club, iv. 128, 129. [2] *Chiefs of Colquhoun*, i. 150; vol. iii. of this work, 64. [3] *Records of Aboyne*, 3, 4, 10 March 1459-60; *Reg. Mag. Sig.*, at date, 1 March 1459-60, error for 10 March.

he could have her to wife lawfully.[1] He then seems to have instituted a process of divorce, on the ground that he had married Elizabeth Dunbar, from whom he was lawfully divorced, and that she was related in the third and fourth degrees of consanguinity to the Lady Annabella, to whom he himself was related in the same degrees of affinity. On this ground and the evidence adduced a divorce was solemnly pronounced at Aberdeen on 24 July 1471, and on 4, 11, and 18 August same year the banns of marriage between the Earl and Elizabeth Hay were published at the church of Fyvie.[2] It is usually said the marriage did not take place till after 12 May 1476, but this is founded on the erroneous date noted above, and the marriage probably followed closely on the final proclamation of banns on 18 August 1471. Elizabeth Hay survived her husband. The Canons of Aberdeen sued her in January 1502-3 for £80 teind silver.[3] In February 1504-5 she obtained letters against Alexander, Earl of Huntly, compelling him to pay £50 to her as his mother,[4] and she was still alive on 27 June 1509, when she had an action against Janet, Lady Lindsay.[5]

The second Earl of Huntly had a considerable family, but it is not easy to say who were their mothers. The marriage to Elizabeth Dunbar is ignored altogether by Ferrerius, and it has been said she had no issue to Huntly. This, however, is not proved, and she was the mother of two children by her first husband. Lady Annabella, according to Ferrerius, had only one child, a daughter. Elizabeth Hay was the mother of his sons and of some of the daughters. The following are the names of his children:—

1. Alexander, third Earl of Huntly.
2. *Adam*, second son, first named in his brother's contract of marriage of 14 October 1474, which shows that

[1] Mr. Riddell inadvertently quotes the date of this writ as 12 May 1476, but the original in the Erroll Charter-chest is clearly dated in 1466. [2] Instrument (4 July 1492) narrating the divorce and the publication of banns; *Laing Charters*, No. 212; cf. also Hutton Collections. Mr. Riddell's mistake, above referred to, has caused much confusion, as it postponed the Earl's marriage with Elizabeth Hay to the year 1476 or later, and Ferrerius' statement, now seen to be correct, that she was the mother of the Earl's sons, appeared chronologically impossible. [3] *Acta Dom. Conc.*, xii. f. 25. [4] *Reg. Mag. Sig.*, 21 February 1504-5. [5] *Acta Dom. Conc.*, xx. f. 206.

even at that early date their marriage was arranged.[1] He married, but at what date is not certain, Elizabeth, daughter and eventual heiress of John, eighth Earl of Sutherland, and in her right he became Earl of Sutherland.[2]

3. *William*, who, in 1490, exchanged with his brother Adam the lands of Aboyne for those of Schivas.[3] He was killed at Flodden, having married Janet Ogilvy, daughter of the Laird of Boyne,[4] and was ancestor of the Gordons of Gight, from whom the famous Lord Byron descended.
4. *James*, brother of William, named in an entail of the lands of Schivas on 16 May 1498.[5]
5. *Janet*, married to Alexander Lindsay, Master of Crawfurd, who died, it is said, in 1489, certainly before 1491.[6] (*See also title* Crawford, where her later husbands are named.)
6. *Isabel*, married to William, Earl of Erroll, according to Ferrerius, who states she was the daughter of the Lady Annabella Stewart. (*See title* Erroll.)
7. *Elizabeth*, married (contract dated 11 January 1481-82[7]) to William, Earl Marischal. (*See that title.*)
8. *Margaret*, unmarried on 21 February 1490-91, when she or her sister Catherine were contracted to be married to Patrick Hepburn, first Earl of Bothwell. He chose Margaret, and married her, as his second wife, between February and April 1491. (*See title* Bothwell.)
9. *Catherine*, who had a romantic history. She was married in January 1495-96 to Perkin Warbeck, who claimed to be Richard, Duke of York,[8] one of the young princes who were said to be slain in the Tower. After her husband's death on 23 November 1499, she was well treated at the court of King Henry VII., who styled her the 'White Rose.' She was married, secondly, before 13 February 1512, to James Strange-

[1] Writ in Menzies Charter-chest; *Herald and Genealogist*, vi. 596; cf. *Records of Aboyne*, 16-18. [2] See that title, where his history will be further stated; cf. Fraser's *Sutherland Book*. [3] *Reg. Mag. Sig.*, 1 November 1490. [4] *House of Gordon*, i. 15 (176). [5] *Reg. Mag. Sig.* [6] Peerage Case; *Lives of the Lindsays*, i. 168, 169. [7] *Antiq. of Aberdeen*, etc., iv. 34. [8] *Scottish Kings*, 2nd ed., 215; *Exch. Rolls*, xi. Pref. liii-lxii.

ways of Fyfield, and was a widow again in 1515; thirdly, in 1517, to Sir Matthew Cradock of Swansea, who died about July 1531; and fourthly, to Christopher Assheton of Fyfield. She died in October 1537, her will being dated 12 October and proved in London 5 November of that year.[1] She had no children by any of her husbands. She was apparently daughter of Elizabeth Hay.

10. *Eleanor*, whom it was proposed in 1504 to marry to John Crichton of Invernyte.[2] It is possible that it was she who, according to Ferrerius, married Sir William Sinclair of Westray in Orkney, as his wife's name was Helen Gordon, who survived him and married David Hepburn.[3] But Sir William Sinclair's wife has been claimed as a daughter of Adam Gordon, Earl of Sutherland.
11. *Agnes*, married to Sir Gilbert Hay of Kilmalamak, according to Ferrerius. They had a charter from King James IV. on 20 August 1510.[4]

The second Earl had also a natural son *Alexander*, who had letters of legitimation 8 October 1500. Also a natural daughter *Agnes*, married to James Ogilvy of Findlater.

III. ALEXANDER, third Earl of Huntly, was the eldest son of George, second Earl, but whether he was the son of Princess Annabella or Elizabeth Hay is a point which has been much disputed. The former opinion is apparently supported by the fact that the Master of Huntly is found not only sitting in Parliament in 1485, but one of the Lords of the Articles.[5] On the other hand, there is a charter of 21 February 1504-5 to Elizabeth, Countess of Huntly, in which she is distinctly referred to as 'mother' of Alexander, Earl of Huntly.[6] Besides, on 4 July 1492 the divorce of Lady Annabella and the publication, in 1471, of the banns of his father and Elizabeth Hay were recorded in the Consistorial Court of Aberdeen at the Earl's request,[7] a proceeding he would hardly have taken had he been the son of the Princess.

[1] *Hist. Notices of Sir M. Cradock*, by J. M. Treherne. [2] *Misc.* Spalding Club, v. 290. [3] *Reg. Mag. Sig.*, 13 May 1527. [4] *Ibid.* [5] *Acta Parl. Scot.*, ii. 169. [6] *Reg. Mag. Sig.* [7] *Laing Charters*, 212.

During his lifetime the Earl had many grants of lands in various parts of Scotland, in the counties of Aberdeen, Banff, Inverness, Perth, and Berwick.[1] He was actively engaged in putting down disturbances in the Isles in 1505, and his services were no doubt acknowledged by an increase of his territorial possessions. He was in great favour with King James IV., and was a witness to his marriage-contract in 1503.[2] He was King's Lieutenant north of the Forth, and amongst other offices held that of hereditary Sheriff both of Inverness and Aberdeen.[3] He commanded a battalion on the left wing of the army at Flodden, and was fortunate enough to make his escape from that field. In May 1517 he was appointed, along with the two Archbishops and other nobles, one of the Viceregents and Lieutenants of the Kingdom.[4] He was constituted Lieutenant over all Scotland, except Argyll's bounds, 26 February 1517-18. He died at Perth 16 January 1523-24, and was buried in the choir of the church of the Dominican Friars there.[5] The Earl married, first (contract 20 October 1474[6]), Jean Stewart, daughter of John, Earl of Atholl. On 24 July 1509, she, along with her husband and eldest son, signs a renunciation of the lands of Bocharm.[7] She died at Strathbogie, 27 October 1510. He married, secondly, Elizabeth, daughter of Andrew, Lord Gray, and widow of John, Lord Glamis. The marriage probably took place not long after 27 July 1511, on which date the King confirmed a charter of the Earl granting to her, as Lady Glamis, certain lands in Banff and Strathbogie.[8] She was married, secondly, before 5 June 1525, to George, Earl of Rothes;[9] she was dead before 29 January 1529-30.[10]

By his first marriage the Earl had issue:—

1. *John*, Lord Gordon. He went with Albany to France in 1517, and returning home the same year died at the Abbey of Kinloss, 5 December, and was buried there.[11] He married, about 1510, Margaret, natural

[1] *Reg. Mag. Sig.*, vol. ii. per Index. [2] *Acta Parl. Scot.*, ii. 272. [3] *Exch. Rolls*, xiv., xcviii., xcix. [4] *Acta Parl. Scot.*, ii. 395. [5] *Records of Aboyne*, 427. [6] The contract is said to be in the Menzies Charter-chest, and he is styled 'son and apparent heir' of his father; failing him, his brother Adam was to implement the contract and so forth 'from son to son lauchfully gotten.' See *Herald and Genealogist*, vi. 596; cf. *Records of Aboyne*, 16-18. [7] *Antiq. of Aberdeen*, ii. 266. [8] *Ibid.* [9] *Reg. Mag. Sig.* [10] *Hist. Records, Family of Leslie*, ii. 64. [11] Ferrerius.

daughter of King James IV. by Margaret Drummond, with whom he had a charter of Badenoch and other lands 26 April 1510. She survived her husband and married, secondly, Sir John Drummond of Innerpeffry. By her he had issue:—

(1) GEORGE, fourth Earl.

(2) *Alexander*. He entered the Church, was nominated by the Chapter Archbishop of Glasgow in 1551, but James Beaton was appointed by the Holy See. He was made Bishop of the Isles 26 November 1553, of Galloway 1558, and was titular Archbishop of Athens.[1] He also held the Abbeys of Tongland and Inchaffray[2] and Icolmkill *in commendam*.[3] He is said to have been the only consecrated Bishop who joined the Lords of the Congregation at the Reformation. He was appointed a Privy Councillor 3 November 1565,[4] and an Extraordinary Senator of the College of Justice on 26th of the same month;[5] afterwards, however, he joined the Queen's party and had much tribulation with the General Assembly in consequence; ultimately he was obliged to make a public satisfaction to the Assembly in August 1575, and he died on 11 November following. He married Barbara Logie of Ennis, and by her had issue a son *George*.[6]

(3) *James*, Chancellor of Moray.[7]

2. *Alexander* of Strathoun. In 1539 he excambed Strathoun with his nephew, the fourth Earl, for the lands of Cluny,[8] and from him are descended the Gordons of Cluny. He married Janet Grant,[9] and had issue.
3. *William*. He took the degree of Doctor in Paris, where Ferrerius says he lived with him, was nominated to the canonry of Arbuthnot, was Chancellor of Moray, and became Bishop of Aberdeen, of which he is styled Bishop-elect 14 October 1545.[10] He died 6 August 1577.[11]
4. *Janet*, married, before 28 February 1506-7,[12] to Colin Campbell, afterwards third Earl of Argyll.
5. *Christian*, married (contract 22 November 1503)[13] to Sir Robert Menzies of that Ilk.

Ferrerius states that another daughter, whose name he does not give, was married to Lord Innermeath, but no other evidence of this has been found.

[1] Keith's *Catalogue*. [2] *Reg. Mag. Sig.*, 21 March 1565-66. [3] *Reg. Sec. Sig.*, xxvi. 84. [4] *P. C. Reg.*, i. 389. [5] *Books of Sederunt*. [6] Edin. Tests., 9 March 1575-76. [7] Ferrerius; *Chart. of Moray*, 428. [8] *Reg. Mag. Sig.*, 21 December 1540. [9] *Ibid.* [10] *Reg. Mag. Sig.*, 8 January 1546. [11] *Reg. Episc. Aberdonen.*, i. lxvi. [12] *Reg. Mag. Sig.* [13] Nisbet, App. ii. 246.

IV. GEORGE, fourth Earl of Huntly, succeeded his grandfather in 1524. His youth was chiefly spent at Court, he being nearly of the same age as his uncle King James v. He was at one time so far attached to the Douglas faction that he accompanied Angus in his flight to England in 1528. He was, however, soon reconciled to the King, and returned to be his highly favoured friend. His career, brilliant and interesting though it was, belongs to the domain of history, and only its principal features can be indicated here. In 1534, when only nineteen years of age, he received a commission of fire and sword against the Clan Chattan, who were doing much mischief in the north. He was made a Privy Councillor in 1535,[1] and the following year one of the Regents of the kingdom during the King's absence in France,[4] and also Warden of the Marches. Between 1537 and 1541 he made many politic alliances with his neighbours in the country, and on 3 March 1540-41 he had a grant of the sheriffship of Aberdeen.[3] On 29 August 1542 he completely defeated an English force of 3000 men under the command of Sir Robert Bowes at Haddonrig, and afterwards succeeded in frustrating a raid by the Earl of Hertford with a much larger force. Because he did not follow up his advantage he lost the favour of the King, but the end of the latter was now near, and after the rout of Solway Moss and James's death Huntly was in December 1542 nominated one of the Council for the government of the realm during the minority of the young Queen.[4] On 5 June 1546 he was appointed Lord Chancellor.[5] In the political intrigues of the next few years Huntly played no small part. He was a supporter of the Queen's party, and at the battle of Pinkie in 1547, where it is said he fought on foot clad in gilt and enamelled armour, he was taken prisoner and was detained in England till 1548, when he succeeded in making his escape, although it has been suggested, with some probability, that that event was arranged.

On his return to Scotland, he was received with much favour, and was, in connection with the proposed marriage of Mary to the Dauphin, created a Knight of the order of St. Michael in France. On 13 February 1548-49 he had a

[1] Crawfurd's *Lives*, 82. [2] *Reg. Mag. Sig.*, 29 August 1536. [3] *Ibid.* [4] *Acta Parl. Scot.* [5] *P. C. Reg.*, i. 23.

gift from the Queen of the lands and earldom of Moray.[1] He thus became the feudal superior of a large part of the Clan Chattan country, and unfortunately a quarrel ensued between him and the chief of Mackintosh, which ended in the latter being executed at Aberdeen 23 August 1550. In the last-mentioned year Huntly went to France with the Queen-Dowager, but in 1553, having failed to put down a rising of the Camerons, he lost favour, was imprisoned in Edinburgh, deprived of his Chancellorship, the earldom of Moray, and many of his other honours. In 1557 he was again restored to favour, and on 5 August was appointed Lieutenant-General of the kingdom.

At the Reformation Huntly's attitude was undecided; he had never been a great party man, and always wished to stand well with both sides. He at first supported the Queen-Regent against the Lords of the Congregation, but afterwards he joined them in their demand for the withdrawal of the French forces from Scotland. On the return of Queen Mary to Scotland in 1561 Huntly was restored to the office of Chancellor. In the following year, however, he became involved in the quarrel between his son Sir John Gordon and the Ogilvies, previously referred to (*ante*, pp. 21-25 of this volume). Hostilities ensued between himself and the royal troops, and at Corrichie his followers were entirely routed, his sons Sir John and Adam taken prisoners, and he himself, on being led captive from the field, succumbed to what was evidently an apoplectic seizure 28 October 1562. His body was embalmed at Aberdeen,[2] then brought to Edinburgh, and taken to the council chamber 28 May 1563, where sentence of forfeiture was pronounced against him. His remains lay in Holyrood till 21 April 1566, when they were removed, and were afterwards buried at Elgin.

The Earl did not add much to his territorial possessions during his lifetime; he had charters of the lordships of the Braes of Mar, Strathdee, and Cromar 24 March 1529-30;[3] of Dawach, Invermarky, and others in Badenoch 21 August 1545;[4] of part of the lands of Bordland, near Dysart, 27 March 1546-47, confirmed 28 March 1546-47;[5] of Strome,

[1] *Reg. Mag. Sig.* [2] *Cal. of Scot. Papers*, i. 565. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.*

Lochiel, and other lands, on the forfeiture of Lochiel, 12 October 1553;[1] on 15 July 1557 he excambed Tochir and other lands in Aberdeenshire with George Leslie, younger of Aikenway, for Cocklarachie and others in the same county,[2] and on 26 March 1549 he got the appointment from the Bishop of bailie of the diocese of Aberdeen.[3]

The Earl married, contract 27 March 1530, Elizabeth Keith, daughter of William, Earl Marischal.[4] By her he had issue:—

1. *Alexander*, Lord Gordon. On 8 August 1552 he had a charter of the lands of Glenloy and others, forfeited by Mackintosh of Dunnauchtane, and on 18 September following, a charter of the lands of Petty and others forfeited by the Earl of Moray. He died shortly after the latter date; he was contracted to Barbara Hamilton, eldest daughter of the Duke of Chatelherault, but it is not certain that the marriage took place, as he died before 18 June 1553, soon after the betrothal (*see ante*, p. 370). She afterwards married James, Lord Fleming.
2. George, fifth Earl.
3. *John*. He succeeded to and assumed the name and arms of Ogilvie of Deskford, as narrated in the article on the Earls of Findlater (*ante*, p. 21). A great family feud arose; on 27 June 1562 Lord Ogilvie of Airlie was severely wounded by Sir John Gordon and a party of his followers in Edinburgh. He was outlawed, and joined his father in his futile rebellion, which ended with the battle of Corrichie in 1562. He himself was taken prisoner, forfeited, and executed 31 October 1562. He was buried in St. Nicholas' Church, Aberdeen. He was contracted in marriage 3 June 1546, to Margaret, second daughter of George, Earl of Erroll, but married, shortly after July 1554, Elizabeth, natural daughter of Adam Gordon, Dean of Caithness, son of Alexander, first Earl of Huntly, and widow of Alexander Ogilvy of Deskford, who

[1] Confirmed 21 February 1552-53, *Reg. Mag. Sig.* [2] Confirmed 12 December 1557, *ibid.* [3] Confirmed 21 February 1552-53. [4] Spalding Club *Misc.*, iv. 139, where the contract (in the vernacular), a curious and stringent document, is given at length.

had conveyed all his estates to him. (*See title* Findlater.)

4. *William*, who died in Paris.[1] He is mentioned as a substitute in entails of lands by Alexander Ogilvy to his brother John in 1546 and 1547.[2]

5. *James*, also mentioned in the above charters. He was a Jesuit, and spent most of his life abroad, being Professor of Hebrew and Divinity at Paris, Bordeaux, Rome, etc. He was, however, frequently in Scotland, and was an indefatigable agent of his church. He gave much trouble both to the Council and General Assembly; he was twice at least imprisoned, the last time in Edinburgh Castle in 1598, after which the Privy Council passed an act of perpetual banishment against him.[3] He died in Paris 16 April 1620, aged about 77.[4]

6. *Adam* of Auchindoun, popularly known as 'Edom o' Gordon.' He was taken prisoner at Corrichie in 1562, and would, it is said, have suffered the same fate as his brother had intercession not been made for him with the Queen by the wife of Lethington.[5] On 25 July 1567 he had a charter from James Ogilvy of Findlater of the lands of Auchindoun, Keithmore, and others, in implement of the decreet-arbitral of the Queen, referred to on p. 24 *ante*.[6] On 10 April 1573 he sold the lands to his brother Patrick. He had a somewhat stormy career. In 1571 he was aiding and abetting his brother, the Earl, in his treasonable practices, and a levy was made against him.[7] In the same year he twice defeated the Forbeses, first at Tullyangus and then at Crabstane, where he took prisoner the Master of Forbes and a large body of men; he also sent a detachment under the command of Captain Ker to Towie House, which they burned. The lady and other inmates of the house, to the number of twenty-seven, perished in this cruel burning, which has been the subject of

[1] *Records of Aboyne*, 468. [2] *Reg. Mag. Sig.*, 17 February 1596-97, and 24 August 1548. [3] *P. C. Reg.*, v. 503. [4] *Records of Aboyne*, 469; *Records of the English Province S. J., Collectanea*, i. 309. [5] *An Apology for William Maitland of Lethington*, Scot. Hist. Soc. *Misc.*, ii. 176. [6] *Reg. Mag. Sig.*, 28 August 1581. [7] *P. C. Reg.*, ii. 92.

more than one ballad.[1] The feud which ensued between the two clans was long and bitter, and was only settled in 1582 by a decreet-arbitral of the King.[2] Gordon was declared rebel and traitor before 18 June 1572, but was pardoned under the provisions of the Pacification of Perth, 23 February 1572-73.[3] In 1574 he went to France, where he was nearly assassinated by Arthur Forbes, a son of Lord Forbes, who had followed him abroad for this purpose. Forbes, however, lost his life in the attempt. Gordon seems to have returned to Scotland, but must have been put in ward in Blackness soon after his arrival; he was released from there in January 1575-76, but was directed to confine himself to the town of Kirkcudbright.[4] He was ordered to present a pledge for the quietness of the Borders, 13 September 1580, and entered his pledge on 12 October.[5] This is the last act recorded of him, and he died at Perth 27 October 1580.[6] It is not certainly known that he was married.

7. *Sir Patrick.* As Patrick Gordon of Auchindoun he had a charter from Sir George Barclay of Gartly of the barony of Barkley, co. Banff, 2 April 1582.[7] He must have been knighted not long after, as he appears as Sir Patrick in a charter of the same year.[8] He and his wife had a charter of Auchindoun and Keithmore 18 December 1590, on the resignation of his brother James, who may have held it in wadset.[9] He sold the lands on 2 May 1592 to Walter Ogilvy of Findlater,[10] who nevertheless got a grant of them as forming part of Sir Patrick's forfeited estates.[11] Sir Patrick was denounced a rebel 22 March 1591-92, for complicity in the attack of Donibristle and the murder of the Earl of Moray,[12] and met his death at the battle of Glenlivet, 3 October 1594.[13] He married, before January 1582-83, Agnes

[1] *Coll. for Aberdeen and Banff*, 243, 611, 612, 621; *Diurnal of Occurrents*, 255; Pinkerton's *Scottish Tragic Ballads*, 43, 109. [2] *Reg. of Deeds*, xx. pt. ii. f. 386. [3] *P. C. Reg.*, ii. 197. [4] *Ibid.*, 480. [5] *Ibid.*, iii. 307, 319. [6] Chronicle of Aberdeen, Spalding Club *Misc.*, ii. 53. [7] Confirmed 24 December 1582, *Reg. Mag. Sig.* [8] Confirmed 5 April 1585, *ibid.* [9] *Ibid.* [10] *Ibid.*, 26 July 1607. [11] *Ibid.*, 26 July 1594. [12] *P. C. Reg.*, iv. 735. [13] *Ibid.*, v. 179.

Betoun, natural daughter of Cardinal David Betoun and Mariota Ogilvy, and widow of George Gordon of Gight.[1] By his wife, who survived him, he does not appear to have had issue.

8. *Robert*, killed by a gun accident 25 April 1572.[2]
9. *Mr. Thomas.* Died between 10 June 1584, when the Bishop of Moray was delivered to himself and his nephew the Earl to be kept in surety till required, and 13 December 1585, when he is mentioned as deceased in an order for the Bishop's release.[3] He is said to have married Janet Gordon, second daughter of John, tenth Earl of Sutherland, and widow of Alexander Innes of that Ilk. She died January 1584, and was buried in the cathedral church of Elgin.[4]
10. *Elizabeth*, married to John Stewart, fourth Earl of Atholl. She had a charter from him of the lands of Belvany and others 26 March 1547.[5]
11. *Margaret*, married in November 1558, as his first wife, to John, Master of Forbes (*see ante*, pp. 58, 59).
12. *Jean*, married, first, 24 February 1565-66, to James Hepburn, fourth Earl of Bothwell (*see* vol. ii. p. 165); she and her husband divorced each other in 1567, and she was married, secondly, 13 December 1573, to Alexander, eleventh Earl of Sutherland. He died 6 December 1594, and she was married, thirdly (contract 10 December 1599), to Alexander Ogilvy of Boyne. She died 14 May 1629, in her eighty-fourth year.[6]

V. George, fifth Earl of Huntly, had, as second son, a charter from his father of the barony of Strathaven, 13 July 1549;[7] as George, Lord Gordon, he had a charter of Glenloy, previously possessed by his elder brother, 11 August 1553; on 7 August 1556 he had a grant of the sheriffship of Inverness and custody of the castle, and on 24 March 1558-59 a grant of the lordship of Badenoch to himself and his wife.

[1] *House of Gordon*, by J. M. Bulloch, i. 29 (193), 39 (203); *Reg. Mag. Sig.*, 5 April 1584. [2] Bannatyne's *Journal*, 337. [3] *P. C. Reg.*, iii. 673; iv. 38. [4] Fraser's *Sutherland Book*, i. 129. [5] Confirmed 27 March 1547, *Reg. Mag. Sig.* [6] For fuller details see article Bothwell, as above. [7] Confirmed 14 August 1549, *Reg. Mag. Sig.*

He took much part in the stirring and important events of the time, and his conduct has been variously judged. After his father's defeat and death at Corrichie, he fled for protection to the Duke of Chatelherault, his father-in-law, but was delivered up and warded in the Castle of Dunbar.[1] He was convicted of treason 8 February 1562-63, and narrowly escaped execution.[2] He was, however, before long received into the Queen's favour, and was appointed Chancellor in succession to the Earl of Morton, 20 March 1564-65,[3] though the forfeiture which had been declared after the battle of Corrichie was not repealed till 1567.[4] He held the Chancellorship till 11 November 1567, when Morton was again appointed to the office by the Regent Moray. He signed the 'Ainslie bond' assenting to his sister's divorce from Bothwell and the marriage of the latter to the Queen.[5] He was a member of Moray's Council in December 1567, but left it on Mary's escape from Lochleven, and became a prominent supporter of her cause in the north. He soon after, however, gave in his submission, and signed a bond of loyalty to the King, 5 April 1569.[6] In 1570 Mary invested him with the title of lieutenant-general, and despite his submission of the previous year he actively supported the Queen's interests, not only in the north, but in Edinburgh, where in the summer of 1571 he was 'occupiet in oppressing his Hieness peacable and gude subjectis.'[7] He was, along with thirty of the chiefs of the Marian party, forfeited in August of that year.[8] He was one of the leaders of the Queen's party in the attack on Stirling 3 September 1571. In 1572, however, he submitted to the Regent Morton, and was pardoned, being admitted to the benefits of the Act of Pacification passed at Perth. He was warded in Galloway, 11 July 1574, on suspicion of his abetting his brother Adam's treasonable designs in France, but was released on getting sureties on 2 December of that year.[9] After this Huntly retired to Strathbogie, where he died on 20 October 1576,[10] having taken a fit while playing at football. There is a curious account of the

[1] Crawfurd's *Lives*, 90. [2] *Ibid.*; Spottiswoode's *History*, 187. [3] *Ibid.* [4] *Acta Parl. Scot.*, ii. 576. [5] *P. C. Reg.*, lxix. [6] *Ibid.*, i. 654. [7] *Ibid.*, ii. 92. [8] Spottiswoode's *Hist.*, 256. [9] *P. C. Reg.*, 381, 420, 423. [10] Caligula MSS., Di. fol. 154.

strange circumstances attending his death in Bannatyne's *Journal*. He was buried in Elgin Cathedral.

The Earl married, in 1558, a sister of the wife of his elder brother, Anna Hamilton, third daughter of the Duke of Chatelherault. They had a charter of Badenoch 24 March 1558-59.[1]

By her he had issue:—

1. George, sixth Earl and first Marquess of Huntly.
2. *Alexander* of Strathaven. He married (contract 1588),[2] Agnes, daughter of George, fourth Earl of Caithness, and widow of Andrew, eighth Earl of Erroll.[3] They had a charter of the ruined manse of the rector of Clatt in Aberdeen 1 December 1588.[4] She died 6 November 1619.[5] He died in January 1622, and was buried in Elgin Cathedral, where his tomb, with an armorial stone, is still visible.[6]
3. *William*, educated at Douai, became a Franciscan, 'sed non perseveravit.'[7]
4. *Jean*, married, shortly after 29 July 1585, to George, fifth Earl of Caithness. She was alive 29 December 1615.[8]

VI. George, sixth Earl of Huntly, was a minor at the time of his father's death. He was educated in France, and was still 'furth of the realm' in April 1580, when the great feud between the Gordons and the Forbeses was settled by the Privy Council.[9] He came home shortly after, and acted with the King in his successful endeavour to free himself from the power of the Ruthven Raiders in 1583;[10] he was then confirmed with Arran in council during his second lease of power. On 26 May 1587 he had a grant of the Commendatorship of Dunfermline for his good services to the King and in prospect of his marriage with the sister of the Duke of Lennox,[11] and was at the same time created Lord High Chamberlain. He bore the sword of state at the opening of Parliament 13 July 1587.

It was not to be expected that Huntly, belonging as he did to one of the leading Roman Catholic families in Scot-

[1] *Reg. Mag. Sig.* [2] *Slains Charters.* [3] Cf. vol. iii. 571. [4] *Reg. Mag. Sig.* [5] *Slains Charters.* [6] *Proceedings Soc. Ant. Scot.*, xxxiv. 359. [7] *Records of Scots Colleges*, New Spalding Club, i. 6. [8] *Reg. Mag. Sig.*, 6 June 1616. [9] *P. C. Reg.*, iii. 279. [10] *Ibid.*, 575 *n.* [11] *Reg. Mag. Sig.*

land, would escape collision with the ministers of the Kirk. The pressure brought to bear on him, and his anxiety to clear himself of suspicion of Popish plots, induced him to sign the Confession of Faith 25 February 1587-88.[1] Within a year, however, he was again under suspicion of being concerned in the supposed plot for an invasion of the country by Spain. He was warded, apparently with his own consent, in Edinburgh Castle 27 February 1588-89, but was liberated after only a week's detention.[2] Failing, however, to overturn the government of Chancellor Maitland, Huntly retired to the north, and there raised the standard of insurrection along with Erroll and Crawford. The rebellion, such as it was, failed; Huntly was captured, brought to Edinburgh, found guilty of treason 24 May 1588, and warded in Borthwick Castle. From this detention he was not liberated for more than a year, being set free in September 1589, on the occasion of the King's marriage.

Restored to the favour of King James, who had always a great personal liking for him, Huntly resumed attendance at Court and Council, and in 1592 he received a commission to apprehend the Earl of Moray, his rival in the north. He beset him in Donibristle, and was responsible for the tragic end of that ill-fated nobleman.[3] Huntly was deprived of all his commissions, and was nominally, 10 March 1591-92, warded in Blackness, but was set free in a few days,[4] and permitted to return to the north. He continued to be the object both of Presbyterian wrath and the machinations of his political enemies. He was summoned to compear before the Council on 5 February 1591-92 for complicity in the Spanish and Jesuit conspiracy,[5] was forfeited 21 July 1593,[6] and excommunicated by the Provincial Synod of Fife in September following. His house at Strathbogie, which he had built at great expense, was demolished in 1594, shortly after the battle of Glenlivet, on 3 October, when he gained an advantage over the royal forces. But further success was beyond his power, and he obtained permission to go abroad. He was, however, not long away, and returned apparently without leave of the King.[7]

Always a favourite at Court, Huntly was not destined

[1] Calderwood's *Hist.*, iv. 677. [2] *P. C. Reg.*, iv. 360, 364. [3] *Ibid.*, 725. [4] *Ibid.*, 734, 735. [5] *Ibid.*, v. 38 *n.* [6] *Ibid.* 91. [7] *Ibid.*, 190 *n.*, 311 *n.*

to remain long in disgrace. James received him at Falkland 13 August 1596;[1] on May of the following year he was relaxed from excommunication, and in December his forfeiture was reduced.[2] He was sworn a Privy Councillor in February 1598-99,[3] and on 17 April 1599, on the occasion of the baptism of the King's daughter, he was created MARQUESS OF HUNTLY, EARL OF ENZIE, LORD GORDON AND BADENOCH. Sir George Mackenzie[4] has left an account of the form of creation which took place with much ceremonial at Holyrood. The patent itself has for long disappeared, so the remainder cannot be ascertained from that source, but there is a document in the Gordon Charter-chest purporting to be under the Great Seal—though the seal is not now affixed—and to be a ratification of the creation of the new Peerage. In this document it is stated that the Marquess and his heirs-male should hold the title.[5] Shortly after this he was appointed along with Lennox, the King's Lieutenant and Justiciar in the north of Scotland,[6] an office which he held till superseded by Argyll in 1607.[7]

Notwithstanding his restoration to the King's favour, and his own nominal adhesion to Presbyterian policy, Huntly continued to be looked upon with much suspicion by the Kirk, and proceedings were from time to time taken against him for nonconformity. The matter culminated by his being excommunicated for the second time by the General Assembly at Linlithgow in July 1608.[8] He was warded in Stirling in October, but was permitted to retire to Strathbogie and twenty-four miles round, on 15 November 1610.[9] Two years later he was allowed to visit the King in London, and was absolved from his excommunication by the Archbishop of Canterbury, being at the same time received into the Church of England. The absolution was ultimately, in August 1616, confirmed by the General Assembly at Aberdeen. He was re-admitted to the Privy Council 27 February 1617.[10] He did not after this take much part in public affairs, but was accused of complicity in the burning of Frendraught and the depredations on the

[1] Birrel's *Diary*, 38. [2] *Acta Parl. Scot.*, iv. 123. [3] *P. C. Reg.*, v. 523. [4] *Works*, ii. 535. [5] Huntly Peerage Case, 4. [6] *P. C. Reg.*, vi. 8. [7] *Ibid.*, vii. 426. [8] *Ibid.*, viii. 140 *n.* [9] *Ibid.*, ix. 585. [10] *Ibid.*, xi. 48.

Crichton lands. He was outlawed for failing to appear before the Council, but his sentence was before long rescinded. Again, in 1635, he was summoned and warded for a time in Edinburgh Castle. Afterwards he had leave to live in his own house in the Canongate (still standing, opposite the Tolbooth) with permission to walk in the gardens at Holyrood. From there he was in 1636 carried 'in a wand bed within his chariot' towards Strathbogie, where he wished to die, but he expired at Dundee on 13 June. He was buried at Elgin 'with much mourning and lamentation according to the rites of the Romish Church.' So passed away one of the most notable characters of his time, whose strenuous career has been the subject of much panegyric and invective, according to the political and religious views of the writer. Eminent though he was, however, he did not influence the history of his country so much as some less able men have done.

The Marquess married Henrietta Stewart, daughter of Esme, Duke of Lennox. On 23 September 1586 he got from the King 5000 merks for his expenses in bringing her home from France.[1] They were married at Holyrood 21 July 1588 by Adamson, the Archbishop of St. Andrews, in defiance of a resolution of the Presbytery of Edinburgh requiring proof of his attachment to the Reformed Faith. In view of the marriage between him and Henrietta Stewart, 'beloved by the King as a daughter,' he had a charter of the Commendatorship of Dunfermline 26 May 1587.[2] The Marchioness survived him, but in 1641, owing to continued persecution by the Kirk, she was forced to go to France, where she died 2 September of the following year, being buried in her mother's grave at Lyons. By her the Marquess left issue:—

1. GEORGE, second Marquess of Huntly.
2. *Francis*, said to have died in Germany 1620.[3]
3. *Adam*. He appears last in the remainder in a charter of the earldom and lands of Sutherland to John, Earl of Sutherland, 29 April 1601.[4] He resigned the lands of Aboyne 22 June 1620, and was thereafter known as of Auchindoun.[5] As Adam Gordon of Auchindoun,

[1] *P. C. Reg.*, iv. 103. [2] *Reg. Mag. Sig.* [3] Wood's Douglas's *Peerage*. [4] *Reg. Mag. Sig.* [5] *Records of Aboyne*, 526.

he was made an honorary burgess of Aberdeen 14 August 1619.[1] He was living at Auchindoun in 1642,[2] unmarried.

4. *Laurence* had a charter, in which he is designed the fourth son of the Marquess, of the lands of Auchterarne and others in Aberdeenshire 20 December 1616; he had another to himself in fee, and his father and mother in liferent, of the barony of Melgund 28 February 1622.[3]
5. *John*, created in 1627 Viscount Melgum and Lord Aboyne. (*See that title*, vol. i. p. 100.)
6. *Ann*, married, to assuage the feud between the families, to James, third Earl of Moray; contract 2 October 1607.[4]
7. *Elizabeth*, married to Alexander, Lord Livingstone, afterwards second Earl of Linlithgow.[5] She died in childbed at Edinburgh July 1616.[6]
8. *Mary*, married, as his second wife, in the church of Bellie, on Sunday, 16 September 1632 (contract 12 August), William, eleventh Earl of Angus, created Marquess of Douglas.[7] She died in 1674, aged sixty-three.
9. *Jean*, married, first, 28 November 1632, to Claud (Hamilton), Lord Strabane; he died 1638, and she married, secondly, 1641, Sir Phelim O'Neile[8] (*see* vol. i. p. 50).

VII. GEORGE, seventh Earl and second Marquess of Huntly, was known during his father's lifetime as Earl of Enzie and Lord Gordon. As a young man he had several commissions of Justiciary for repressing disorders in the north.[9] He was made a Knight of the Order of the Bath 1610. He was admitted a member of the Privy Council 9 January 1616,[10] and of the Cabinet or select committee of that body 1 April 1622.[11] In 1623 Lord Gordon went to France and obtained the command of the Scots men-at-arms, in which he served with much distinction.[12] On the

[1] New Spalding Club *Misc.*, i. 121. [2] Mortlach Session Reg. [3] *Reg. Mag. Sig.* [4] *Ibid.*, 27 June 1611. [5] *Ibid.*, 22 June 1615. [6] *Complete Peerage.* [7] *Records of Aboyne*, 526; *Douglas Book*, ii. 424. [8] Cf. vol. i. p. 50. [9] *P. C. Reg.* [10] *Ibid.*, x. 440. [11] *Ibid.*, xii. 701. [12] *The Scots Guards in France*, Forbes Leith, i. 116.

death of his brother John, Viscount Melgum, he was created VISCOUNT ABOYNE during the lifetime of his father, with remainder on his own death or succession to his second son James (*see* vol. i. p. 101). He returned from France in 1637 after his succession to the marquessate, and was warmly welcomed at Strathbogie.[1]

In the struggle which ensued in the following years between the King on the one hand and the Covenanters on the other, Huntly, as might have been expected, sided with the former. He was opposed in the north by Montrose, and at last fell into the hands of his enemies, not without suspicion of treachery, and was, along with his eldest son, sent to Edinburgh. His detention there was not long, and he was liberated under the pacification of 20 June 1639. He then went to England for a time, but was certainly back in Scotland by 1643, when he gave his support to Montrose, now acting on the royalist side, though his co-operation with that commander was not altogether cordial. After much fighting, with varied results, he was at last driven to flight and wandered a fugitive, with a price set on his head, throughout his own wide domains. In December 1646 he was taken prisoner at the farmhouse of Delnabo by Colonel Menzies, one of Middleton's officers. He was taken to Edinburgh, where he lay in prison for sixteen months. On 16 March 1649 he was brought to trial for treason, condemned to death, and beheaded at the Market Cross, 22 March, notwithstanding the entreaties of his sister, the Marchioness of Douglas, and his daughters that his sentence might be at least modified.

The Marquess married (contract February 1607) Anne, second daughter of Archibald, seventh Earl of Argyll, in a vain endeavour to heal a family feud. They had a charter of Badenoch 25 October 1608. She died at Old Aberdeen 14 June 1638, and was buried in St. Machar's Cathedral. By her the Marquess had issue:—

1. *George*, Lord Gordon. He served in Alsace and Lorraine under Maréchal de la Force. On returning home he was imprisoned with his father in 1639. Afterwards Argyll induced him to side with the Covenanters, but after Inverlochy he threw himself

[1] Spalding's *Memorials*, 76.

heart and soul into the royal cause. He joined Montrose, and rose to a high place in his esteem. He was a brave, chivalrous, and popular young man, and when he met his death in a fierce charge at the battle of Alford, 2 July 1645, he was universally lamented. His body was embalmed, escorted by Montrose to Aberdeen, and buried beside that of his mother in St. Machar's. Montrose acted as chief mourner, 'and indeed there was reason for it, for never two of such short acquaintance did ever love more dearlie . . . after the funeral obsequies ware ended, there were many that wreitt his praises.'[1]

2. *James*, who succeeded as Viscount Aboyne on his father's accession to the marquessate. He died at Paris 1648.[2]
3. Lewis, ninth Earl and third Marquess of Huntly.
4. *Charles*, created Earl of Aboyne 10 September 1660; died March 1681.[3]
5. *Henry*, took service under the King of Poland through the influence of his brother-in-law Count Morsztyn. In 1667, when there was a general settlement of the family estates, he was provided in the sum of 5000 merks. He died at Strathbogie.[4]
6. *Ann*, 'ane precise puritan,' married, 1641, to James (Drummond), third Earl of Perth, and died 9 January 1656.
7. *Henrietta*, married (contract 25 March and 9 and 19 October 1639[5]) to George, Lord Seton, eldest son of George (Seton), third Earl of Winton. He died *v. p.* 4 June 1648, and she was married, secondly, in the following year, to John (Stewart), afterwards second Earl of Traquair. She died in December 1650.
8. *Jean*, married, 14 January 1640, to Thomas, second Earl of Haddington. She died in 1655.[6]

[1] Pat. Gordon, 133, 134. [2] See vol. i. p. 101. [3] *Ibid.*, p. 102. [4] *Records of Aboyne*, 542. A Pole calling himself 'the Marquess Huntly Gordon' claims to be descended from Lord Henry. His (caricature) portrait appeared in the *Mucha*, a Warsaw journal, 3 March 1905. A long descent is also given in Zychlinski's *Zlota Ksiega Slachty Polskiej*, 75-77. [5] *Complete Peerage*. [6] Lamont's *Diary*; Edin. Tests.

9. *Mary*, married, 8 December (contract 8 November) 1643, to Alexander Irvine of Drum.
10. *Catherine* (twin with Henry), was Maid-of-honour to Mary Louise, daughter of Charles de Gonzaga, Duke of Nevers. She was Queen-Consort of Poland, having married Ladislas VII. Catherine married John Andrew, Count Morsztyn, Grand Treasurer of Poland.[1] He was a poet and a miser, and died in France 8 January 1693, aged eighty.[2]

VIII. LEWIS, eighth Earl and third Marquess of Huntly. In 1639, when only thirteen, he went secretly to the Highlands 'and tooke the guiding of the ruide hylanders upon him.'[3] In 1641 he appears to have gone off to Holland with a quantity of his father's jewels, much to the displeasure of the latter.[4] He was in Edinburgh in 1644, and warded there for a time. He took part in all the stirring events of his time: saw Strathbogie devastated by his own uncle and ally Argyll; from the party of the latter, however, he seceded with his brother Lord Gordon, and became a supporter of Montrose. In 1649 a reversal of his father's attainder was offered him if he would 'satisfy Church and State.'[5] He did not satisfy the Church, at all events, as the General Assembly overtured Parliament for his apprehension and imprisonment in 1650.[6] He seems to have petitioned both the Assembly and Parliament,[7] and ultimately on 25 March 1651 he was restored to his honours.[8] He died in December 1653,[9] leaving behind the reputation of having been a brave, impetuous, but fickle and untrustworthy man. He married, in October 1644, Mary, daughter of Sir John Grant of Freuchie, with whom he had a tocher of 20,000 merks.[10] She was married, secondly (contract 31 October 1668), to James, second Earl

[1] *Records of Aboyne*, 542. [2] See some interesting articles by Mr. J. M. Bulloch in *Scottish Notes and Queries*, 1898 and 1902, on Polish alliances with the Gordons. [3] Pat. Gordon, 19. [4] Spalding, ii. 6. [5] *Acta Parl. Scot.*, vi. pt. ii. 324. [6] *Proceedings of Commission of Gen. Assem.*, Scot. Hist. Soc., ii. 419. [7] *Ibid.*, 418; *Acta Parl. Scot.*, vi. pt. ii. 648. [8] *Ibid.*, 652. [9] Lamont's *Diary*, 65. [10] Spalding, ii. 428. The ceremony was performed by Mr. George Hannay, minister of Alves. There is a curious account of his forcible abduction by Gordon in the middle of the night, and of his then marrying the couple under fear of death (*Records of Presb. of Elgin*, 5 November 1644).

of Airlie. (*See that title.*) By her the Marquess had issue:—

1. GEORGE, fourth Marquess of Huntly.
2. *Anne*, married to Sir Miles Crouly, an Irish Knight. On 7 November 1694 he received permission from the King to be naturalised in France, and on 24 August of the following year a similar permission was granted to 'Lady Ann Crouly, sister of George, Duke of Gordon, and wife of Sir Miles Crouly.[1]
3. *Mary*, married first, in 1667, to Adam Urquhart of Meldrum, who died on 18 November 1684;[2] and secondly, about 1685, as his third wife, to James, fourth Earl of Perth. She died in March 1726, aged eighty.
4. *Jean*, married (contract 6 July 1682[3]) to James, fourth Earl of Dunfermline. (*See that title.*)

IX. GEORGE, ninth Earl and fourth Marquess of Huntly, as a boy 'lived with his lady mother at Elgin very mean.'[4] On 3 April 1661 the forfeiture of his grandfather was rescinded in favour of his children and grandchildren, so that they might serve themselves heirs and executors to him according to the laws of the kingdom.[5] In 1662 he had a grant from the King of the Huntly estate which had fallen to the Crown through the forfeiture of the Marquess of Argyll.[6] About 1668 he went to France to be educated, and thereafter travelled in Italy and other countries, returning to Scotland in 1672. In the following year he went abroad again, and served in the French army for a couple of years. In 1675 he served with the Prince of Orange in the Flanders campaign, and in November of that year returned to London.[7] In 1681 he had a ratification from Parliament of the marquessate and other honours of Huntly.[8] By Patent, dated at Whitehall 1 November 1684, he was created DUKE OF GORDON, MARQUESS OF HUNTLY, EARL OF HUNTLY AND ENZIE, VISCOUNT OF INVERNESS, LORD BADENOCH, LOCHABER,

[1] *Stuart Papers, Hist. MSS. Com.*, i. 94, 105. [2] *Thanage of Fermartin*, 694. [3] Huntly Peerage Case, 11; Gordon Castle Charters. [4] *Wardlaw MS.*, Scot. Hist. Soc., 439. [5] *Acta Parl. Scot.*, vii. 102. [6] *Ibid.*, 374. [7] *The Portrait of True loyalty exposed in the family of Gordon*, etc., Adv. Lib. MS. [8] *Acta Parl. Scot.*, viii. 334, 499.

STRATHAVEN, BALMORE, AUCHINDOUN, GARTHIE, and KINCARDINE, with remainder to the heirs-male of his body. In 1686 he had a grant of the barony of Mellerstaines in Berwickshire.[1] Previous to this, on the accession of King James VII., he had been appointed a Privy Councillor, a Lord of the Treasury, and Governor of Edinburgh Castle. He was also created a Knight of the Order of the Thistle on the revival of the Order on 29 May 1687, being one of the eight original Knights and one of the two afterwards recognised by Queen Anne 31 December 1703. The Duke's historic defence of the Castle of Edinburgh which he made for King James is well known. From the middle of 1688 till 13 June 1689 he held the fortress with much gallantry, but had at last to surrender to the troops of the Convention. He made a submission to King William in London and then went abroad. He visited the exiled Court at St. Germains, but was not graciously received. He then went to Switzerland, Holland, and back to Scotland, leading, it is said, 'a very uneasy life, being oftener a prisoner than at liberty.'[2] He died at the Citadel of Leith, where he resided, 7 December 1716, aged about sixty-seven. Testament confirmed 9 March 1721 and 13 April 1733.[3] Macky describes him as 'a very fine gentleman and understands conversation and the *Belles Lettres*; is well-bred; made for the company of ladies, but is very covetous, which extremely eclipses him; . . . brave in his person, loves his country and his bottle; . . . very handsome, black, with a fine eye.'[4]

The Duke of Gordon married, in October 1676, Elizabeth Howard, second daughter of Henry, Duke of Norfolk and Earl of Norwich, with a portion of £1200 a year. The marriage does not appear to have been a happy one, as the Duchess retired to a convent in Flanders before 1697, in which year the Duke raised an action of adherence against her. She ultimately obtained a decree of separation from him in 1707.[5] Her name was at one time prominently brought into notice by her presenting to the Faculty of Advocates a medal with the head of the Pretender on one side and a representation of the British Isles on the other,

[1] *Acta Parl. Scot.*, viii. 594. [2] Macky's *Memoirs*, 195. [3] Edin. Tests. [4] Macky's *Memoirs*, 197. [5] *Complete Peerage.*

with the motto *Reddite*. It was at first, by the influence of James Dundas of Arniston, received with thanks, but afterwards, on the Government taking notice of the incident, rejected with a resolution protesting the devotion of the Faculty to the reigning sovereign.[1] The Duchess survived her husband many years, and died at the Abbeyhill, Edinburgh, 16 July 1732. Testament confirmed 17 December 1733.[2] She was buried in Elgin Cathedral. By her the Duke had issue:—

1. ALEXANDER, second Duke of Gordon.
2. *Jean*, married (contract 5 October 1706) to James, fifth Earl of Perth. She was imprisoned in Edinburgh Castle from 11 February to 17 November 1746, for her actions in the rising of 1745.[3] She died at Stobhall, 30 January 1773, aged about ninety.

X. ALEXANDER, tenth Earl, fifth Marquess of Huntly, and second Duke of Gordon, was 'out' with the Earl of Mar in the rising of 1715, and was at the Battle of Sheriffmuir on 13 November of that year. He then returned home, and surrendered to the Earl of Sutherland.[4] He was imprisoned for some time in Edinburgh Castle, but, upon Sutherland's intercession, was pardoned and his estates restored.[5] He does not appear to have taken any further active part in public affairs, and died 28 November 1728 at Gordon Castle, being buried at Elgin. He married (contract 7 October 1706, and 5 February 1707[6]) Henrietta Mordaunt, daughter of Charles, Earl of Peterborough and Monmouth. She was a woman of much energy and ability. She introduced many agricultural improvements in the north, even bringing down from England English ploughs, with men to work them.[7] At her husband's death she found herself in charge of a large and young family; she determined to bring them up in the Protestant faith. For this the General Assembly in 1730 sent her a cordial letter of thanks, and the Government in 1735 settled upon her a pension of £1000 a year. This, it is said, was withdrawn in 1745, because she set out a breakfast on the roadside for Prince Charles Edward when he passed her park gates on

[1] Faculty Minutes, 17 July 1711. [2] Edin. Tests. [3] Clerk's *Memoirs*, Scot. Hist. Soc., 197. [4] Fraser's *Sutherland Book*, iv. 343. [5] *Ibid.*, 257. [6] Huntly Peerage Case, 19. [7] *Domestic Annals of Scot.*, iii. 419.

his way to England.[1] She survived her husband for many years, dying 11 October 1760 at Prestonhall, near Edinburgh, which she had purchased in 1738, and which she left to her son Adam. By her the Duke had issue:—

1. *Alexander*, an infant son, buried at Fulham, 7 January 1711.[2]
2. Cosmo George, third Duke of Gordon.
3. *Charles*, a captain in the Earl of Loudon's Foot (54th Regiment) in 1745, disbanded in 1748. He was a lieutenant in the 89th Regiment 13 October 1759. Died at Bainfield, Edinburgh, 26 April 1780, unmarried.[3] Testament confirmed 29 September 1790.[4]
4. *Lewis*, entered the Navy, but threw in his lot with the Pretender in 1745; raised a regiment in his cause, and defeated the royalist troops under Macleod near Inveraray 23 December 1745, and then marched to Perth. He escaped from Culloden, went to France, and died at Montreuil, 15 July 1754.[5]
5. *Adam*, was born about 1726, entered the Army as cornet in the Scots Greys 1743, and had a distinguished military career.[6] He was a captain in the 18th Foot, 1746, and in the 3rd Foot Guards, December 1753, with which regiment he served in General Bligh's unsuccessful expedition to France in 1758. He was colonel of the 66th Foot, 19 January 1763, and served with them in America. He returned home in 1765, and was appointed colonel of the 26th Foot, the Cameronians, 27 December 1775, Governor of Tynemouth Castle April 1778, colonel of the 1st Royal Scots 9 May 1782, Commander of the Forces in Scotland 1789, and Governor of Edinburgh Castle 8 November 1796. He sat in Parliament for Aberdeenshire 1754-68, and for Kincardineshire 1774-88 when he resigned. When commanding in Scotland, he resided in Holyrood Palace, which he had repaired and redecorated; it is said he had all the old oak carvings painted white. He resigned his command in 1798, and retired to his seat of The Burn, in

[1] *Domestic Annals of Scot.*, iii. 554-555. [2] Lyson's *Environs of London*, ii. 382. [3] *Scots Mag.* [4] Edin. Tests. [5] Huntly Peerage Case, 16. [6] *Genealogist*, N.S., xiv. 11.

Kincardineshire, where he died suddenly 13 August 1801, and was buried at Inveresk 25 August.[1] Lord Adam married, in London, 2 September 1767, Jane, daughter of John Drummond of Megginch, and widow of James, second Duke of Atholl.[2] By her, who died at Holyrood 22 February 1795, and was buried at Inveresk, he had no issue. By his will, dated 20 March 1795, he left his property to a natural daughter.

6. *Henrietta*, died unmarried at Brompton 14 February 1789, aged eighty-one.[3] She was buried in Fulham Churchyard.
7. *Mary*, died unmarried at Edinburgh 26 July 1782.
8. *Anne*, married, as his third wife, to William, second Earl of Aberdeen, with issue, and died at Edinburgh 22 June 1791, aged seventy-eight.
9. *Elizabeth*, married to the Rev. John Skelly, a clergyman of the Church of England in the diocese of Durham, and died 1769, leaving issue.
10. *Jean*, died unmarried at Edinburgh 17 January 1792, and was buried at Holyrood in the Drummond burying-place 20 January.[4] Will 8 June 1792.[5]
11. *Catherine*, married, 12 September 1745,[6] to the Hon. Francis Charteris, afterwards seventh (attainted) Earl of Wemyss. She died at Edinburgh 21 January 1786, leaving issue.
12. *Charlotte*.

XI. Cosmo George, eleventh Earl, sixth Marquess of Huntly and third Duke of Gordon. He was named Cosmo in compliment to Cosmo de Medici III., Grand Duke of Tuscany, who had been an intimate friend of his father. In Gordon Castle there is a bust of that prince, presented by him to the Duke in 1720.[7] Cosmo George was born about 1720, and was elected a Scottish Representative Peer in 1747, in which year he was under the Heritable Jurisdictions Act allowed £5282 in full of his claims, which amounted to £22,300. He was installed a Knight of the Order of the Thistle 16 February 1748. Died at Breteuil, near

[1] There are two portraits of him as a very handsome old man in Kay's *Edinburgh Portraits*. [2] Cf. vol. i. 489. [3] *Scots Mag.*; Burke's *Commoners*, i. 650. [4] Holyrood Burial Reg. [5] *Edin. Com.* [6] *Scots Mag.* [7] Burke's *Peerage*.

Amiens, France, 5 August 1752, and was buried in Elgin Cathedral 27 September. He married, at Dunkeld, 3 September 1741, Catherine, only daughter of his brother-in-law, William, second Earl of Aberdeen, by his second wife. She was married, secondly (Faculty licence, 25 March 1756), to Staats Long Morris, aged twenty-five, at that time of New York, but afterwards a general in the Army, and M.P. for Elgin Burghs, 1774-89. She, who was born 20 October 1718, died in London 10 December 1779, and was buried in Elgin Cathedral. He died 2 April 1800, and was buried in Westminster Abbey. By her the Duke had issue:—

1. GEORGE, fourth Duke of Gordon.
2. *William*, born at York 15 August 1744; lieutenant 89th Foot 1759; travelled abroad with his brother the Duke 1762-63; captain 37th Foot 1764. He resigned his commission 1769. In August of the following year, owing to the scandal caused by his elopement with Lady Sarah Bunbury in February of that year,[1] he started, with a knapsack on his back and his hair cut short, to walk to Rome, his only companion being a large dog.[2] He came home again in time, and was on 13 February 1778 appointed Deputy Ranger of St. James's and Hyde Parks. He was lieutenant-colonel of the North Fencible Regiment 11 April 1778; sat in Parliament for Morayshire 1779-84, for Inverness-shire 1784-90, and for Horsham 1702-6. He was Vice-Admiral for Scotland 1782-95. Died 1 May 1823. He married, 1 March 1781, Frances Ingram Shepherd, second daughter and co-heir of Charles, ninth Viscount Irvine; she was a ward of the Chancellor, who opposed the marriage.[3] She died 29 September 1841, aged eighty, leaving an only daughter *Frances Isabella Ker* (died 1831), whom Reynolds used as the model of his famous picture of Heads of Angels in the National Gallery.
3. *George*, baptized 27 January 1752, was for some years in the Royal Navy; elected member of Parliament for Ledgershall 1774. An independent, able, and

[1] Jesse's *George Selwyn and his Companions*; *Life and Letters of Lady Sarah Lennox*, London, 1902. [2] *Scots Mag.*, xxxii. 515. [3] *Ibid.*, xliii. 110.

witty debater, he made some mark in the House of Commons; but his name is chiefly associated with the great 'No Popery' riots in London of 1780. In these 210 persons were killed and 248 wounded, while property to the amount of £180,000 was destroyed. Lord George was tried for high treason, but Erskine's defence secured his acquittal. Having, in 1786, refused to compear as witness in a Court of Justice, he was, under the law then prevailing, excommunicated by the Archbishop of Canterbury for contempt. Convicted in the following year of the authorship of two libellous pamphlets, he fled to Holland, but was sent back to England, and apprehended at Birmingham. He died of fever in Newgate 1 November 1793, having, it is said, latterly become a convert to Judaism.[1] He was unmarried.

4. *Susan*, married, first, at Harley Street, London, 28 May 1767,[2] as his second wife, to John (Fane), ninth Earl of Westmoreland, and had issue; he died 25 April 1774, and she was married, secondly, 28 December 1778, at St. James's, Westminster, to Lieutenant-Colonel Woodford, 1st Foot Guards, and lieutenant-colonel Gordon Fencibles; by him, who died at Edinburgh 18, and was buried at Holyrood 27, April 1800,[3] she had two sons. She died, 11 December 1814, in London, aged sixty-eight.
5. *Anne*, born in Conduit Street, London, 16 March 1748; married, on 24 September 1782, to Alexander Chalmers, minister of the parish of Cairnie. She died 7 June 1816 without issue.[4]
6. *Catherine*, born in Conduit Street, London, 26 January 1751, married to Thomas Booker, captain 53rd Regiment, with issue, and died at Boyndie 3 January 1797; testament confirmed 13 June 1797.[5]

XII. Alexander, twelfth Earl, seventh Marquess of Huntly, and fourth Duke of Gordon, was born 18 June 1743; served heir to his father 9 February 1754;[6] raised the 89th

[1] See Dickens's *Barnaby Rudge* for a graphic description of the mobs. [2] *Scots Mag.* [3] Holyrood Burial Reg. [4] Scott's *Fasti*, iii. 195. [5] *Aberdeen Com.* [6] *Services of Heirs.*

Regiment of Foot for the service of Government 1759, taking a captain's commission in it, and leaving the command to his step-father, General Morris. The regiment was disbanded at the Peace of Paris in 1763, and the Duke then travelled abroad for some time. He was one of the Scottish Representative Peers from 1761 to 1784; he was made a Knight of the Order of the Thistle 11 January 1775. He was created, 7 July 1784, BARON GORDON OF HUNTLY in the county of Gloucester,[1] and EARL OF NORWICH,[2] in the Peerage of Great Britain. He was Keeper of the Great Seal of Scotland 1794-1806 and from 1807 to 1827; he was Lord-Lieutenant of Aberdeenshire 1794-1808. In 1819 he became entitled to the Peerage of LORD MORDAUNT, on the death of his cousin, through his grandmother, Henrietta Mordaunt, and possibly also to that of LORD BEAUCHAMP.[3] The Duke was one of the handsomest men of his day, was famous for his social gifts, and several specimens of his verses have survived which show some literary aptitude. He died in London 17 June 1827, aged eighty-three.

He married, first, 23 October 1767, at Ayton, and afterwards at his brother-in-law Mr. Fordyce's house in Argyll Square, Edinburgh, Jane, second daughter of Sir William Maxwell of Monreith, Bart. She was the beautiful, witty, eccentric, and daring Duchess of Gordon, the heroine of innumerable anecdotes. She was immensely popular in society, but her marriage with the Duke did not turn out happily.[4] She lived for long in a small house in the Highlands, but was a good deal in Edinburgh society. She died in London 11 April 1812,[5] aged sixty-three, and was buried at Kinrara, Inverness-shire, in a plot of ground on the banks of the Spey she herself had planted out.[6] The Duke married, secondly, in July 1820, at Fochabers, Jane Christie, by whom he had had four illegiti-

[1] An absurd specimen of Peerage topography; the village of Huntley from which the English title was taken had no connection whatever with the Gordon family. [2] There was no representation, in him, of the family of his great-grandmother, the daughter of the first Earl of Norwich, whose title had become extinct in 1777. [3] *Complete Peerage*, iv. 52. [4] See *An Autobiographical Chapter in the Life of the Duchess of Gordon*, Glasgow, 1864; a good deal of information about her is to be obtained in an article by Mr. Bulloch in the *English Illustrated Magazine*, June 1897. [5] M. I. at Kinrara. [6] *Memoirs of a Highland Lady*, 279.

mate children. She died without further issue 17 June 1824.

By his first marriage the Duke had issue :—

1. George, fifth Duke of Gordon.
2. *Alexander*, born at Edinburgh 8 November 1785; was lieutenant 35th Regiment of Foot, and 2nd Life Guards; major Aberdeen Militia 1807; died, unmarried, at Edinburgh 8 January 1808, and was buried at Elgin.
3. *Charlotte*, born at Gordon Castle 20 September 1768; married there, 9 September 1789, to Charles, fourth Duke of Richmond and Lennox; died 5 May 1842.
4. *Madelina*, born 1772; married, first, at London, 2 April 1789, to Sir Robert Sinclair of Stevenston, Bart., who died in 1794; secondly, at Kimbolton Castle, 25 November 1805, Charles Fysche Palmer of Luckley Park, co. Berks, who died in January 1843. She died 1 June 1849.
5. *Susan*, born 2 February 1774; married, 7 October 1793, to William, Duke of Manchester, from whom she was separated[1] in 1813, and died 26 August 1828.
6. *Louisa*, born 12 September 1776; married, 17 April 1797, to Charles, afterwards second Marquess of Cornwallis. She died 5 December 1850.
7. *Georgina*, born at Gordon Castle 18 July 1781; married, at Whitehall, 23 June 1803, to John, Duke of Bedford, and died 24 February 1853.

The Duke had several illegitimate children, four by Jane Christie above mentioned. One became a colonel in the Army, and was treated very kindly by the Duchess. A daughter, Catherine, was married, in 1813, to Captain John Anderson of Candacraig, an officer in the 28th Regiment.[2]

XIII. George, thirteenth Earl, eighth Marquess of Huntly, and fifth Duke of Gordon, was born at Edinburgh 2 February 1770; was colonel of the 92nd (Gordon) Highlanders, 1796; of the 42nd Highlanders (Black Watch), 1806; of the 1st (Royal Scots) Regiment, 1820: and of the 3rd Foot Guards, 1834. He served in Ireland in the Rebellion

[1] *Memoirs of a Highland Lady*, 151, 280; *Jerningham Letters*, ii. 37.
[2] *Scot. Notes and Queries*, 2nd ser., v. 74, 94.

of 1798; in Holland in 1799, being wounded at Bergen 2 October of that year, and at Walcheren in 1809. He was a major-general in 1801, and commanded the Forces in Scotland from 1803 to 1806; general in 1819. He was member of Parliament for Eye 1806-7, and was, on 11 April 1807, summoned to the House of Lords by the style and title of BARON GORDON OF HUNTLY in the county of Gloucester. He was appointed Lord-Lieutenant of the county of Aberdeen 1808; made a G.C.B. 20 May 1820, and acted as Lord High Constable at the coronation of King George IV. 19 July 1821. He died *s.p.* in Belgrave Square, London, 28 May 1836.

On his death the dukedom of Gordon and the other titles of the creation of 1684 became extinct, as did the earldom of Norwich and the barony of Gordon of Huntly created in 1781, while the barony of Mordaunt fell into abeyance between his sisters and co-heirs or their descendants, and the marquessate of Huntly devolved upon his cousin and heir-male. It has been said that if there was no resignation of the earldom when the marquessate was created, and if the charters immediately preceding the creation of the latter title were in favour of heirs whatsoever, the earldom would descend through heirs of line, and in that case would be vested in the descendants of the Duke's sister, the Duchess of Richmond;[1] but in the restoration of the honours to Lewis Gordon in 1651, 'the honor and dignity of Marquess of Huntly, with all and whatsoever titles, honores, and dignities which did pertine and belong to his said umquhile father or to any other there ancestores,' is expressly said shall be enjoyed by Lewis and his heirs-male; whom failing, to the heirs-male of his father and brothers; the lands, on the other hand, were to go to heirs-male or heirs whatsoever according as they were held by their charters.[2]

The fifth Duke of Gordon married, 11 December 1813, at Bath, Elizabeth, daughter of Alexander Brodie of Arnhall, born in London 20 June 1794. She became a leading adherent of the Free Church when that body seceded in 1843.[3] She died at Huntly Lodge 31 January 1864.

[1] Maidment's *Coll. Gen.*, No. 51. [2] Huntly Peerage Case, 9. [3] See her *Life*, by the Rev. R. Moodie Stuart, Edinburgh.

XIV. GEORGE,[1] fourteenth Earl and ninth Marquess of Huntly, who succeeded to the title, was the fourth cousin once removed of the last holder of the title, being the eldest son and heir of Charles, fourth Earl of Aboyne (*see that title*), whose great-great-grandfather was fourth but second surviving son of the second Marquess. He was born at Edinburgh 28 June 1761; he served for some time in the Army, being lieutenant-colonel first of the 35th Foot, then of the Coldstream Guards, and subsequently, after his retirement from the Army in 1792, colonel of the Aberdeenshire Militia. He was elected a Representative Peer of Scotland at the elections in 1796, 1802, 1807, and 1812. On 11 August 1815 he was created BARON MELDRUM OF MORVEN in the county of Aberdeen, in the Peerage of the United Kingdom. He was made a Knight of the Order of the Thistle 10 May 1827. His right to the marquessate of Huntly was acknowledged by the House of Lords 21 June 1838. He died in London 17 June 1853, aged ninety-one.

The Marquess married, 4 April 1791, Catherine Anne, second daughter and eventually co-heir of Sir Charles Cope, second Baronet, of Brewerne. By her, who was born 1771 and died 16 November 1832, he had issue:—

1. CHARLES, tenth Marquess.
2. *George*, born 27 January 1794; was rector of Chesterton, Hants; died 25 September 1852, having married, 24 July 1851, Charlotte Anne, daughter of Colonel Thomas Wright Vaughan, of Woodstone. She died 23 August 1879, aged seventy-eight.
3. *John Frederick*, born 15 August 1799; entered the Royal Navy and rose to the rank of admiral. Was M.P. for Forfarshire from 1841 to 1857; assumed the additional name of Halyburton 1843, as heir to his uncle, Douglas Gordon Halyburton[2]; K.G.H. 1836; died *s.p.* 29 September 1878, having married, 24 August 1836, Augusta (Kennedy-Erskine) Fitzclarence, sister of George, first Earl of Munster.
4. *Henry*, born 31 August 1802, major in the H.E.I.C.S.; died 28 August 1865, having married, 6 March 1827, Louisa Payne, who died 17 May 1867, leaving issue, three sons and five daughters.

[1] Wrongly named CHARLES, vol. i. 105. [2] Vol. i. 105.

5. *Cecil James*, born 23 February 1803; captain, 42nd Highlanders; assumed by royal licence, 1850, the surname of Moore after that of Gordon; died 15 January 1878, having married, 23 April 1841, Emily, daughter of Maurice Crosbie Moore of Mooresfort, co. Tipperary. She died 26 April 1901, leaving issue three sons and seven daughters.
6. *Francis Arthur*, born 20 January 1808; lieutenant-colonel 1st Life Guards; died 26 June 1857, having married, 17 April 1835, Isabel, only child of Lieutenant-General Sir William Kerr Grant, K.C.B. She died 7 January 1892, leaving issue two sons and a daughter.
7. *Catherine Susan*, born 29 December 1792; married, 18 June 1814, to Charles Compton, first Lord Chesham, and died 14 December 1866.
8. *Charlotte Sophia*, born 4 January 1796; died 21 December 1876.
9. *Mary*, born 16 October 1797; married, 15 April 1822, Frederick Charles William Seymour. He died 7 December 1856; she died 13 June 1825, leaving issue.

XV. CHARLES, fifteenth Earl and tenth Marquess of Huntly, sixth Earl of Aboyne, and second Baron Meldrum of Morven, was born 4 January 1792; sat in Parliament for East Grinstead, 1818-30; and for Huntingdonshire, 1830-31; Lord-Lieutenant of Aberdeenshire, 1861; died 18 September 1863 at Orton, co. Huntingdon. He married, first, 20 March 1826, Elizabeth Henrietta, eldest daughter of Henry, first Marquess Conyngham, born 16 February 1799, died *s.p.* 24 August 1839; he married, secondly, on 10 April 1844, Maria Antoinetta, daughter of the Rev. William Peter Pegus. She died at Orton 10 August 1893, having had issue:—

1. CHARLES, eleventh Marquess of Huntly.
2. *Lewis*, born 3 May 1848; lost in H.M.S. *Captain*, 7 September 1870.
3. *Bertrand*, born 24 July 1850; died at Sydney, N.S.W., 10 August 1869.
4. *Douglas William Cope*, born 11 October 1851; sat in Parliament for West Aberdeenshire 1876-80, and for Huntingdonshire, 1880-85; was a lieutenant in the Coldstream Guards; died unmarried, 4 August 1888.

5. *Esmé Stuart*, born 12 March 1853; died 29 September 1900, having married, 21 July 1874, Elizabeth Anne Phippen, only child of William Brown of Glastonbury, Somerset, with issue one daughter:—

   (1) *Beatrice Mary*, born 21 July 1875; married, March 1900, Francis Henry Meade, grandson of Richard, third Earl of Clanwilliam, with issue.

6. Granville Armyne (*heir-presumptive*), born 14 June 1856; married, first, 4 September 1878, Charlotte D'Olier, daughter of Henry Roe of Mount Dunville Park, co. Dublin; she died 28 May 1900. He married, secondly, 1902, Margaret, daughter of W. F. Humble of Chester, widow of F. B. Close, and divorced wife of Christian Frederick Gordon, grandson of Lord Francis Arthur Gordon, sixth son of the ninth Marquess. By his first marriage there was issue:—

   (1) *Charles Henry Granville*, born 19 June 1880; lieutenant 3rd battalion Gordon Highlanders, died at Aberdeen from a fall 16 July 1899.
   (2) *Granville Cecil Douglas*, born 28 April 1883; lieutenant Scots Guards.
   (3) *Armyne Evelyn*, born 21 June 1879.

7. *Randolph Seaton*, born 17 May; died 16 July 1859.
8. *Mary Katherine*, born 8 January 1845; married, 17 April 1866, to Edmund Turnor of Stoke Rochford, co. Lincoln, who died *s.p.* 15 December 1903.
9. *Evelyn Elizabeth*, born 22 March 1846; married, 14 July 1863, to Gilbert Henry, Lord Willoughby d'Eresby, afterwards first Earl of Ancaster, with issue.
10. *Grace Cicelie*, born 15 October 1854; married, 27 June 1878, to Hugh Cecil, fifth Earl of Lonsdale.
11. *Margaret Ethel*, born 5 February 1858; married, 25 July 1881, to George Ralph Charles, third Baron Harlech, with issue.
12. *Elena Mary*, born 29 November 1861; married, 28 February 1885, to George Lamplugh Wickham of Parkhill, co. York, late major Royal Horse Guards.
13. *Edith Blanche*, twin with Elena, died 25 December 1862.
14. *Ethelreda Caroline*, a posthumous child, born 31 January 1864; married, 16 September 1884, Lieutenant-Colonel Henry Wickham, with issue.

XVI. CHARLES, sixteenth Earl and eleventh Marquess of Huntly, seventh Earl of Aboyne, and second Baron Meldrum of Morven, was born 5 March 1847; a Lord-in-waiting to Queen Victoria, 1870-73; captain of the Corps of Gentlemen-at-Arms, 1881; thrice elected Lord Rector of Aberdeen University, 1890, 1893, 1896; married, 14 July 1869, Amy, born 1850, elder daughter and co-heir of Sir William Cunliffe Brooks, Bart.

CREATIONS.—Earl of Huntly, about 1445; Marquess of Huntly, Earl of Enzie and Lord Gordon of Badenoch, 17 April 1599; Viscount Aboyne, 20 April 1632; Duke of Gordon, Marquess of Huntly, Earl of Huntly and Enzie, Viscount of Inverness, Lord Badenoch, Lochaber, Strathaven, Balmore, Auchindoun, Garthie, and Kincardine, 3 November 1684, in the Peerage of Scotland. Baron Gordon of Huntly, co. Gloucester, and Earl of Norwich, in the Peerage of Great Britain, 2 July 1784; Baron Meldrum of Morven, in the Peerage of the United Kingdom, 11 August 1815.

ARMS (recorded in Lyon Register).—Quarterly: 1st, azure, three boars' heads couped or, for *Gordon*; 2nd, three lions' heads erased gules, for *Badenoch*; 3rd, or, three crescents within a double tressure flory counterflory gules, for *Seton*; 4th, azure, three fraises argent, for *Fraser*.

CREST.—A hart's head proper, attired with ten tynes issuing from a crown or.

SUPPORTERS.—Two deer-hounds argent, collared gules, the collars charged with three buckles or.

MOTTO.—*Bydand*.

[J. A.]
[J. B. P.]

CARMICHAEL, EARL OF HYNDFORD

CARMICHAEL as a surname is first found in 1226, Robert de Caramiceley being the first of the name on record,[1] and was probably taken from the lands of that name in the Upper Ward of Lanarkshire, which were long in the possession of the family. The lordship of Carmichael was included in a grant of Douglasdale to Sir James Douglas in 1321 by King Robert Bruce. At a later date Sir James's nephew, William, Earl of Douglas, granted them to Sir John Carmichael. Their estates, on the death, in 1817, of the last Earl, passed to the Anstruthers of Anstruther, and are now vested in Sir Windham Carmichael Anstruther, the direct representative of the family in the female line.

Sir John de Carmychell had a charter between 1374 and 1384 from William, Earl of Douglas and Mar,[2] of the lands of Carmychell. This charter was confirmed on 10 October 1414 by Archibald, Earl of Douglas.[3] Sir John also had charters from his cousin, Sir James Sandilands of Calder, of the lands of Little Galway in Wiston, dated 1 November 1385, confirmed by King Robert II. on 8 May 1387.[4] He died *ante* 28 May 1417,[5] having married a

[1] *Chart. of Dryburgh*, 171. [2] *Douglas Book*, iii. 398. [3] Hyndford Charter-chest. [4] Writ in Cleghorn Charter-chest. [5] Cleghorn Charter-chest; Charter by James of Sandilands to Johannis de Carmychelle.

sister of Henry Wardlaw, Bishop of St. Andrews,[1] and by her had two sons:—

1. WILLIAM.
2. *John* of Meadowflat,[2] who obtained the lands of Greenhill in 1417 and Meadowflat in 1420, in Lanarkshire, under charters from Sir James Sandilands of Calder and Sir John Lindsay of Covington.[3] He was constable of St. Andrews in 1434.[4] He had two sons:—

   (1) *William* of Meadowflat, dead before 8 April 1475,[5] heritable captain of the Castle of Crawford, ancestor of the Carmichaels of Meadowflat, heritable bailies of the barony of Crawfordmuir. His family became extinct in the male line before 18 April 1638, when Margaret Carmichael was served heir of Sir John Carmichael of Meadowflat, Knight, her brother,[6] and 24 May 1638, when she was served heir of her father, John Carmichael of Meadowflat,[7] Sir John having been retoured heir of his father, grandfather, and great-grandfather on 30 January 1595 in the heritable keepership of the Castle of Crawford Douglas and office of bailie of that barony.[8]

   (2) *John* of Balmedie appears as 'Johannes Carmychell de Balmathe,' 20 December 1477,[9] witness to a charter of Archibald, fifth Earl of Angus. He acquired the lands of Balmedie by his marriage, about 1477, with Isobel, daughter of Sir John Sibbald of Balgonie, and widow of George, fourth Earl of Angus.[10] He was dead before 20 February 1489, when she was wife of Sir Robert Douglas of Lochleven, having had by her, who was dead before 21 February 1497:[11]—

      i. JAMES of Balmedie and Folkarton, of whom presently.

      ii. *Peter* of Dron, who had charters in 1509 of the lands of Dron, Craigpottie, Kirkdroyne, Abernethy, etc.[12] Sheriff of Forfar 1500; acquired the heritable bailiery of the regality of Abernethy 11 July 1528,[13] which was held by the Carmichaels of Balmedie until the abolition of heritable jurisdictions in 1748. He married

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[1] *Reg. Mag. Sig.*, 10 August 1440. [2] Douglas gives his name as 'Robert' erroneously. [3] Writ in Cleghorn Charter-chest. [4] Register House Charters, No. 275; Riddell's MSS. [5] Writ in Cleghorn Charter-chest. [6] *Retours, Lanark*, 196. [7] *Gen. Retours*, 2365. [8] *Retours, Lanark*, 6, 7, 8. [9] Confirmed 18 February 1482, *Reg. Mag. Sig.* [10] *Memorie of the Somervilles*, ii. 256-257, 295-297; Sibbald's *Fife* (1710), 160; MSS. of Sir James Balfour, Lord Lyon; *Acta Auditorum*, 157, 163; *Hist. MSS. Com., Earl of Home*, 118; *Douglas Book*, ii. 63; *Acta Dom. Conc.*, 1502; Charter, Earl of Angus to John Ogilvy, 1511; Bond of Corroboration at Gallastchelis by George Douglas 'to my dearest eme, James Carmichael of Folkarton; Riddell's *Notes*; will of Gavin Douglas, see his *Works*, i. cxxiv; see also *ante*, vol. i. 177. [11] Balmedie Charter-chest. [12] Inverquharity Charter-chest, 11 July 1528; *Reg. Mag. Sig.*, 13 December 1593; *Acta Dom. Conc. et Sess.*, xi. f. 100. [13] *Reg. Mag. Sig.*; Balmedie Charter-chest.

before 1509 Euphame Wemyss.[1] He died before 30 May 1545, without male issue by his wife, who survived him, and was still living on 29 April and 10 October 1552.[2] He was succeeded by his grand-nephew, David Carmichael of Balmedie.[3]

iii. *Elizabeth*,[4] married, 3 July 1489, at Edinburgh, to Sir John Somerville of Cambusnethan or Quothquan,[5] and had issue.

James of Balmedie and Whelphill[6] and Folkarton,[7] Sheriff of Lanark 1495-98, with William Carmichael of that Ilk and James Symontoun.[8] He married Elizabeth, daughter and heiress of Folkart of Folkarton, co. Lanark, to whom the lands of Folkarton were confirmed 20 October 1495 by Robert, Abbot of Kelso (as they had been confirmed to her ancestor Richard, son of Solph of Folcardistun, by Abbot Henry, *circa* 1208).[9] He left one son:—

(i) *James* of Balmedie and Whelphill, married Margaret, daughter of David Kincraigie of that Ilk, and died before 5 July 1542,[10] leaving issue:—

a. Peter of Balmedie, had a charter on 5 July 1542 of the lands of Whelphill, Lanarkshire, which had belonged to his father.[11] He made a claim in 1545, to be heir of his kinsman Peter Carmichael of Dron.[12] He was forfeited, 1546, with Norman Leslie, for participation in the capture of the Castle of St. Andrews and slaughter of Cardinal Beaton.[13] He afterwards served in the galleys with John Knox, and was imprisoned on Mont St. Michel with the Master of Rothes, Kirkcaldy of Grange, and others,[14] but escaped with Grange disguised as a professional mendicant; returned to Scotland, and died without issue.

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[1] *Reg. Mag. Sig.*, confirmed 13 December 1593; 11 July 1528, *The Oliphants in Scotland*, 43, doc. 92; *Acts and Decreets*, 15 May 1555, xi. f. 97; *Ibid.*, 31 July 1563, xxvii. f. 342; *Reg. Mag. Sig.*, 27 March 1555. [2] Protocol Book of Alex. Gaw, Gen. Reg. Ho., ff. 17a, 28a, and 30b. [3] *Acts and Decreets*, xxvii. f. 342, 31 July 1563. [4] Godscroft's *Douglas*, Ruddiman's ed., ii. 26; *Memorie of the Somervilles*, i. 256-257, 295-297. [5] Nisbet's *Heraldry* (1742), ii. 277; *Memorie of the Somervilles*, i. 323. [6] *Liber de Calchou*, 426, 533; Haddington Coll., 87; *Reg. Mag. Sig.*, 13 December 1593. [7] *Liber de Calchou*, 426, 533; Haddington Coll., 87; Infeftment by James Carmichael of Folkarton, 1498, Douglas Charter-chest; Precept by James IV., 11 September 1499, Douglas Charter-chest; *Douglas Book*, iii. 438. [8] Douglas Charter-chest; Riddell's MSS. [9] *Liber de Calchou*, 78, 426-428. [10] *Reg. Sec. Sig.*, xvi. 24. [11] *Ibid.* [12] Protocol Book of Alex. Gaw, f. 17a. [13] *Acta Parl. Scot.*, ii. 467 (b), 809; *P. C. Reg.*, i. 31, 38, 39; Chalmers's *Caledonia*, ii. 732. [14] Knox's *History of the Reformation*, Wodrow ed., i. 226, 231.

b. DAVID of Balmedie, of whom a notice follows.
c. Robert in Ethybetoun.[1]

DAVID of Balmedie was implicated with his elder brother (whom he succeeded) in the murder of Cardinal Beaton. He died July 1580,[2] having married Isabel, daughter of David Barclay of Collairnie,[3] by whom he had :—

(*a*) JAMES of Balmedie, of whom afterwards.
(*b*) *John*, minister of Kilconquhar,[4] who left a son,
a. Frederick.[5]
(*c*) *Margaret.*[6]
(*d*) *Euphame*, married to Peter Balmanno of that Ilk before 1556, and, before 1563, to John Ramsay of Corstoun, Fife.[7]

He had an illegitimate son, *William* Carmichael.

JAMES of Balmedie, Craigpottie, and Kirkdrum, was, on 22 March 1588, served heir to Peter Carmichael of Craigpottie, his great-grandfather's brother ;[8] married, 25 April 1590,[9] Jean, eldest daughter (by his second marriage) of Sir David Carnegie of Colluthie, eventually of Kinnaird, and died 7 May 1594,[10] leaving issue. She married secondly Archibald Dundas of Fingask.[11]

(*a*) DAVID of Balmedie, of whom afterwards.
(*b*) *Euphame*, who married, 1610, David Tullie.[12]
(*c*) ——, a daughter, name unknown.

DAVID of Balmedie succeeded his father on 7 May 1594 ; acquired the lands of Eglismagirdle 17 January 1629 ;[13] J.P. for Perth 1627 ;[14] on committee of war for Perth 1643 ;[15] married, first, Margaret or Jean, second daughter of Sir William Oliphant of Newton, by whom he had no issue ; she died before 1622 ;[16] and secondly, before 1629,[17] Margaret Morton or Myrton, daughter to the Laird of Cambo. He died before 14 November 1646, when his son was served heir to him,[18] leaving issue :—

(*a*) Sir DAVID of Balmedie, of whom afterwards.
(*b*) *James* of Balmblae, who had a charter of Kildowny and Chingillis 20 October 1632 ;[19] he

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[1] Test. James Carmichael, 26 July 1594 ; Edin. Tests ; *Wedderburn Book*, ii. 6. [2] See his will, Edin. Tests., 7 June 1582. [3] *Ibid.* [4] *Reg. Mag. Sig.*, 4 November 1613. [5] *East Neuk of Fife*, by Walter Wood, first ed., 176 ; second ed., 207. [6] See wills of David, 7 June 1582, and James Carmichael, 26 July 1594, Edin. Tests. [7] Protocol Book of Alex. Gaw, ff. 34, 35 ; *Acts and Decreets*, xxviii. f. 394 ; *Reg. of Deeds*, ix. f. 197 ; xii. f. 187. See her will, 17 June 1591, Edin. Tests. [8] *Retours, Gen.*, 8377. [9] *History of Carnegies, Earls of Southesk*, by Sir William Fraser, i. 64. [10] See his will, 26 July 1594, Edin. Tests. [11] Macfarlane's *Gen. Coll.*, 2171. [12] *Reg. Mag. Sig.*, 4 November 1613. [13] *Reg. Mag. Sig.* [14] *P. C. Reg.*, ii. (n.s.) 554 ; v. (n.s.) 385-428. [15] *Acta Parl. Scot.*, vi. i. 55, 203(a). [16] See her will, 3 May 1622, Dunblane Tests. [17] *Reg. Mag. Sig.*, 17 January 1629. [18] *Retours, Perth.* [19] *Reg. Mag. Sig.*

married 'Old Ladi Colvil,' as the Laird of Brodie styles her, otherwise Euphan Myrton, widow of Robert, first Lord Colvill of Ochiltree,[1] and died 20 October 1704, leaving a son,[2]

Robert, M.D., of Balmblae, who married Jean Murray, daughter of James Murray of Balvaird, son of the first Lord Balvaird, and dying 5 March 1722[3] left issue:—

a. *James* of Balmblae.[4]

β. *Robert*, who married Catherine Lindsay of Kirkforthar,[5] and died before 1800, leaving a daughter, *Magdalene*, who died before 1801.[6]

γ. *Stewart*, who is described as of Jamaica, and who was served heir of his brother Robert and his niece Magdalene on 28 July 1800 and 9 March 1801 respectively.[7]

δ. *Helen*.[8]

(*c*) *Mungo*.[9]

(*d*) *John*.[10]

And three daughters.[11]

Sir DAVID of Balmedie, born 1626,[12] served heir of his father in Ecclesmagirdle on 14 November 1646,[13] in Balmedie on 14 November 1647,[14] and Craigpottie on 15 March 1648,[15] between which dates he was knighted. He was on committee of war for Perth,[16] Commissioner of Excise 1661,[17] J.P. 1663;[18] married, first, in 1647, Anne, daughter of Sir James, afterwards first Lord Carmichael;[19] secondly, on 26 May 1652, Cecilia, second daughter of Thomas Fotheringham of Pourie.[20] Sir David had issue by his two wives:—

(*a*) DAVID, by his second wife, educated at the College of Edinburgh; married (contract dated 27 January 1675[21]) Euphemia, daughter of James Dempster of Balbougie, and granddaughter of Robert Dempster of Pitliver, representative of the Dempsters of Auchterless and Muiresk, heritable Doomsters of the Parliament of

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[1] *Diary of Alexander Brodie*, Spalding Club, 383, 10 March 1677; vol. ii. of this work, 573. [2] *Misc.* Scot. Hist. Soc., i. 480-481; Sibbald's *Fife* (1710), 152. [3] See his will, 5 June 1722, *Edin. Com.*; Nisbet's *Heraldry*, ii. App. [4] *Services of Heirs*, 1720-29. [5] Burke's *Landed Gentry*, under Seton of Cariston. [6] *Services of Heirs*, 1800-9. [7] *Ibid.* [8] Test. of Robert Carmichael of Balmblae, 5 June 1722, Edin. Tests. [9] Sir James Balfour, Lord Lyon, MSS. Pedigree, Advocates' Library. [10] *Ibid.* [11] *Ibid.* [12] See his portrait *penes* trustees of late Sir James Carmichael, Bart. [13] *Retours, Perth*, 557. [14] Balmedie Charter-chest. [15] *Retours, Fife*, 747. [16] *Acta Parl. Scot.*, VI. ii. 35 (a), 191 (a). [17] *Ibid.*, VII., 91 (a). [18] *Ibid.*, 506 (b). [19] Hyndford and Balmedie Charter-chests. [20] Lamont's *Diary*, 41. [21] Balmedie Charter-chest.

Scotland, and dying *v.p.* 1676 left issue a son *David*, who succeeded to his grandfather.

(*b*) *Eupheme*, by his first wife, married, 17 August 1698, to William Dick.

(*c*) *Anne*, by his first wife, married to Dundas of Duddingstone.

DAVID of Balmedie, born 7 February 1675, succeeded his grandfather. On 5 May 1698 he was served heir of his mother in the lands of Luthrie, Fife,[1] and of his father in those of Ecclesmagirdle and Abernethy,[2] and on 12 November 1740 he was served heir of his great-grandfather David Carmichael of Balmedie.[3] He married Anna, daughter of Thomas Graham of Balgowan, and had:—

(*a*) DAVID of Balmedie, who, becoming involved in the rising in support of Prince Charles Edward, was heavily fined and obliged to alienate his estates in Scotland. He married Janet, daughter of Peter Coutts, merchant in Edinburgh, where he died in 1757,[4] leaving an only son—

a. David, who married Mary, daughter of the Rev. William Tatham of Wormingford, and died without issue.

(*b*) THOMAS, of whom presently.

(*c*) *William*, Writer to the Signet, died unmarried.

(*d*) *John*, born 31 July 1705.

(*e*) *Robert*, born 8 June 1707.

(*f*) *Anne*, married to Sir James Stewart, Bart., of Burray, and died at Edinburgh 19 January 1779.[5]

(*g*) *Eupham*, born 22 March 1704.

(*h*) *Elizabeth*, born 2 December 1708.

(*i*) *Cecilia*, born 30 June 1710.[6]

THOMAS, born 8 September 1702; M.D. of Leyden;[7] married, 1740, Margaret, eldest daughter and heir of provision-general of Dr. James Smyth of Aithernie in Fife (a cadet of the house of Braco, now of Methven), who obtained Aithernie by his marriage with Anne, daughter of Alexander Watson of Aithernie, by his wife Margaret, daughter of David Lindsay of Edzell. He was succeeded by his only son,

(*a*) JAMES, of whom presently.

(*b*) *Anne*.[8]

(*c*) *Elizabeth*.[9]

JAMES, born 23 February 1742, inherited Aithernie, and through his great-grandmother, Margaret

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[1] *Retours, Fife*, 1403. [2] *Ibid., Perth*, 1034. [3] Balmedie Charter-chest. [4] *Ibid.* [5] See her will, Edin. Tests. [6] *Ibid.*, 15 December 1790. [7] *Index of Students of Leyden*, by Ed. Peacock, F.S.A., 1883. [8] See will of Anne Carmichael, Lady Stewart, Edin. Tests., 25 September 1779. [9] *Ibid.*

Lindsay, became heir-general of the Lindsays of 'the proud House of Edzell.' In compliance with the will of his grandfather he assumed the surname of Smyth in addition to that of Carmichael. He settled in England, was twice censor of the Royal College of Physicians, London; was appointed Physician Extraordinary to George III., and twice received the thanks of Parliament for valuable public services. He died 18 June 1821, having married, at Gretna Green, on 9 November 1775, Mary, daughter of Thomas Holyland of Bromley, Kent, by his wife Mary, daughter of George Elton, of the Nether Hall, Ledbury, representative of the Eltons of the Hazle, co. Hereford, descended from Elton of Elton in Cheshire, and by her, who died 24 May 1806, he had :—

(*a*) JAMES, who was created a Baronet, of whom presently.

(*b*) *Henry William*, major in the Bengal Engineers, married Anne, second daughter of J. H. Beecher, and widow of Richmond Makepeace Thackeray, and died *s.p.* 9 September 1861. She died 31 December 1864.

(*c*) *William Henry*, Bengal Civil Service, afterwards Paymaster of Exchequer Bills; died *s.p.* 1846.

(*d*) *Charles Montauban*, born 21 December 1790; general Indian Army, colonel 20th Hussars, C.B., Knight (3rd class) of the Dooranee Empire; received the Ghuznee medal, having commanded 4th Bengal Irregular Cavalry in first Afghan war. He discontinued to use the name of Smyth by royal licence 17 August 1842; married, 4 March 1841, Mary Eliot, daughter of Captain Allan Graham, Bengal Artillery, and died 21 November 1870, leaving issue by her (who died 29 April 1871):—

a. *Charles Henry Edward*, M.A., born 9 January 1842; married, 17 April 1890, Harriet, daughter of William Morley, and died, without issue, 2 March 1895.

β. *Rose Gordon*, married, 15 April 1874, to Commander Oswald Niven, R.N., and has issue.

γ. *Florence Graham*, died 6 April 1873.

(*e*) *David Scott* (Hon.), born 15 August 1798. Judge of the Supreme Court, Fort William; married, first, 1819, Anne, daughter and co-heiress of Major-General J. D. Sherwood, Bengal Artillery. She died 1834. He married, secondly, 1839, Isabella Francis, daughter of W. H. Oakes, by whom he had one son, *Henry* Hyndford, born 13 December 1840, died 12 March 1842. He died 3 September 1841, leaving issue by his first wife :—

α. *James Dodington*, C.B., colonel 32nd Regiment, born 14 August 1820; re-assumed in common with his brothers and sister the family name of Carmichael in lieu of Carmichael-Smyth, by royal licence; married, first, 1860, Barré, daughter of Major Latter; and, secondly, 1869, Teresa Ann, daughter of Thomas Morris of Crome Hall, Gloucester, and widow of Captain Scott, 32nd Regiment, and died 13 May 1893, having had by his first wife:—

(α) *James Barré Hood*, killed in a landslip at Naini Tal 18 September 1880.

(β) *Claude Dundas James*, heir-male of the family, of whom presently.

β. *Charles Paget*, C.S.I., late Commissioner, Benares, born 8 November 1829; married, first, 8 November 1853, Georgina, daughter of Canon Judge. She died 23 March 1884. He married, secondly, in 1887, Annabella Violet, daughter of John Crofton. She died 15 September 1890. He died 29 January 1900, having had by his first wife:—

(α) *Charles Edward*, born 3 November 1854, died 4 September 1856.[1]

(β) *David*, born 3 January 1861, died 19 June 1867.[2]

(γ) *James Forrest Halkett*, born 8 July 1868,[3] Major R.E.

(δ) *George Gawler Irving*, born 23 July 1870, lieutenant Gloucestershire Regiment and India Staff Corps; died 23 June 1905 unmarried and *s.p.*

(ε) *Constance Barré*, born 10 September 1856; married, 8 October 1878, to Rev. E. Jermyn, and has issue.

(ζ) *Annie Louisa*, born 30 September 1858, died 3 March 1859.

(η) *Gertrude Wilson*, born 14 December 1861.

(θ) *Mary Adelaide*, born 8 December 1863.

(ι) *Grace Isabel*, born 20 November 1864, died 15 February 1869.

γ. *David Fremantle*, born 15 October 1836, late Senior Member of the Council of Madras; married, first, Jane Theophila, daughter of Robert Gee; she died 14

[1] Reg. of Births and Deaths, N.W.P., India Office. [2] *Ibid.* [3] *Ibid.*

June 1860; secondly, 27 September 1876, Sarah Margaret, daughter of the Ven. George Truelock, Archdeacon of Killala. She died 23 April 1900. He died 30 September 1903, leaving issue by his first wife three daughters :—

(*a*) *Anne Theophila*, married 11 August 1880, J. W. F. Dumergue, I.C.S.

(*β*) *Katherine Georgiana*, married, 1881, Lieut.-Col. Sir William Hutt Curzon Wyllie, K.C.I.E., M.V.O.

(*γ*) *Jane Trevelyan*, married, 1881, to Harry George Wedderburn, Barrister-at-law.

δ. *George Lynedoch*, born 8 December 1831, lieutenant-colonel 95th Regiment, Knight of the Legion of Honour and of the Medjidie (5th class), Chief Constable of Worcestershire from 1871 till his death; married, 7 July 1870, Eva Maria, daughter of Andrew Saunders, The Downes, Eling, Hants. She died 10 April 1871. He died 29 January 1903, leaving a son—

(*a*) *Evelyn George Massey*, M.A. (Oxon.), born 3 April 1871, Barrister-at-law.

ε. *Louisa Maria*, born 25 July 1833; married, 22 August 1854, to Edward Wylly, Judge of the Sudder Court, Agra. He died 7 January 1862. She died 11 June 1900, leaving issue.

(*f*) *Robert Stewart*, major 93rd Highlanders, originator of the scheme of the Canadian Pacific Railway; married, first, 1854, Agnes Rosina, daughter of Captain Henry Hervey, R.N., and secondly, 14 April 1863, Dorothy Susan, daughter of William Tudor, and died 13 May 1888, having had by his first wife—

Robert Hervey, born 1856, died 10 June 1879.

(*g*) *Mark Wood*, born 1 October 1801; Captain Madras Cavalry; married, 3 June 1831, Marianne, daughter of Henry Hutton. She died 8 November 1890. He died 12 July 1872, leaving issue :—

α. *Maria*.

β. *Harriet Olivia*.

γ. *Eleanor Elton*, died 10 April 1907.

(*h*) *George Monro*, born 18 September 1803. Major-general Bengal army, formerly lieutenant-

colonel of the 3rd Bengal Light Cavalry, married, first, Jane Ross, and secondly, 7 October 1879, Cecilia Black, only child of James Martin Hamilton, and died 29 April 1890, having had by his first wife :—

α. George James Graham (police dept. N.W.P.), born 1849, married, 27 July 1880, Jennie Theresa Sarah Holder, and had issue one son—

A. *George Henry Edward Hyndford*, born 28 September 1882.[1]

β. Methven W. A., born 1856.[2]

γ. David Edward Paget (lieutenant R.N.), died 17 April 1889 at sea, unmarried.

(*i*) *Maria Agnes*, born 9 November 1776, married, 20 September 1800, to Alexander Monro of Craiglockhart, M.D., F.R.S.E., and died 6 July 1833, leaving issue.

(*j*) *Georgina Christina*, married, 1816, to Lieutenant-Colonel William Forrest, Bengal army, and had issue.

JAMES, major-general, first Baronet, C.B., K.C.H., K.M.T. and K.S.W., was born 22 February 1780, and entered the Royal Engineers. He served with distinction under Sir David Baird at the Cape of Good Hope and Corunna, afterwards commanding the corps of Royal Engineers attached to the army in the Low Countries under Lord Lynedoch, when he planned the memorable attack on Bergen-op-Zoom. He was commanding Engineer with the allied army in 1815, and served on the personal staff of the Duke of Wellington at Quatre Bras and Waterloo. At the close of the war he was created a Baronet by George IV. for distinguished military services. Sir James Carmichael-Smyth was subsequently appointed Governor of the Bahamas, and thence removed to the more important colony of British Guiana, where, after carrying into effect the emancipation of the slaves, and administering the government with eminent success, he died on 4 March 1838. He was married, on 28 May 1816, to Harriet, only surviving child of General Robert Morse, of the Royal Engineers, and by her (who died 23 September 1870) he left :—

JAMES ROBERT, born 11 June 1817, reassumed the family name of Carmichael in lieu of Carmichael-Smyth by royal licence in 1841, was gazetted an ensign in the 86th Regiment of Foot on 29 May 1835; D.L. Kent; married, 18 February 1841, Louisa Charlotte, daughter of Sir Thomas Butler, Bart., of Garryhundon, co. Carlow. He died 11 June 1883. She died 9 March 1899, having had :—

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[1] Reg. of Baptisms, India Office, N.W.P. [2] *Ibid.*, vol. 89, fol. 54.

(1) James Morse, third Baronet, of whom presently.
(2) *May*, married, 15 April 1890, to Rev. Edmund Raven Hollings, B.A., vicar of St. John's, Bethnal Green. He died 10 December 1901.
(3) *Louisa*, died unmarried 15 November 1874.

James Morse, third baronet, born 20 July 1844, Private Secretary to the Right Hon. John Bright when a member of the Cabinet in 1873; to the Right Hon. Hugh Childers, Chancellor of the Exchequer, 1882-85; and to the Right Hon. W. E. Gladstone, 1885-86. He was attached to the Commission of Liquidation, Egypt, 1880 (Medjidie). He died unmarried 5 June 1902.

Claude Dundas James, son of Colonel James Dodington Carmichael (*see ante*, p. 570), born 21 October 1862. As heir-male of the House of Carmichael, claims the dormant title of Earl of Hyndford, Viscount Inglisberry and Nemphlar, and Lord Carmichael of Carmichael 1701, and Lord Carmichael 1647, with the baronetcy (Nova Scotia) of 1627. Was lieutenant Duke of Cornwall's Light Infantry, but since 1883 has been an officer in the Madras Police Force. He married, in 1888, Mary Glencairn, second daughter of James Shaw, and has one daughter, *Barré Grace*.

William Carmichael is found as a witness as 'William, son to John of Carmichael' to a charter of the lands of Ponfeigh by William, Earl of Douglas, to Lawrence of Govan in about 1370.[1] He was succeeded by John of Carmichael, probably his son.

John Carmichael of that Ilk; was one of the jurors upon the service of Sir John Somervill on 1 March 1406,[2] and was succeeded by William Carmichael, perhaps his brother.

William Carmichael, as 'dominus de Carmichael,' was witness to charters in 1410,[3] also 1423,[4] and on 25 November 1427.[5] The last time his name appears is on 6 July 1434 in a notarial proceeding affecting John Sandilands Dominus de Calder, to which he was a witness.[6] The current tradition of the Carmichael family, supported by

[1] Confirmed 9 September 1370, Hyndford Charter-chest. [2] *Memorie of the Somervilles*, i. 152. [3] *Reg. Prior. S. Andree*, 427. [4] Lee Charter-chest. [5] Confirmed 20 August 1511, *Reg. Mag. Sig.* [6] Riddell's Notes, Advocates' Library.

historical evidence, has always attributed the broken spear of its crest to the prowess of a knightly ancestor who killed the Duke of Clarence at the battle of Beaugè in 1421, and is variously stated to have been Sir John Carmichael of that Ilk,[1] and John Kirkmichael. But according to the pedigree here set out a William was of that Ilk at the time of the battle, and it is therefore probable that the Duke's antagonist was a William, not John Carmichael. It may have been that John, on volunteering for foreign service, would be obliged by the rules regulating the feudal tenure of lands to leave a representative behind him, who in his case was his son, who would in all deeds with which his father had no connection be described as 'dominus ejusdem,'[2] or William may have remained in Scotland, and sent his son to represent him in foreign parts. Another possible explanation may be that the hero of Beaugè was the contemporary John Carmichael of Meadowflat; but if this theory is the correct solution, it seems difficult, at a time when heraldry was a science guided by the most stringent rules, to account for the appearance of the broken spear and the fesse tortilé as the future arms of the House of Carmichael,[3] as their descent is from William, the elder brother of John of Meadowflat. His wife has not been ascertained.[4]

JOHN DE CARMICHELL is in 1471 mentioned in connection with an action brought against him by Douglas of Cluny.[5] On 31 July 1473 'Johne of Carmichell of that Ilk' brought an action against James Sandilands for trespass to the lands of Wiston,[6] granted to Sir John in 1387.[7] On 13 May 1474 the Lords Auditors decreed a tenement to be restored to 'John of Carmychel, patron of the altar of Saint Michael, founded in the kirk of Saint Andrews.'[8] A charter of the

[1] Hume of Godscroft, *History of the House of Douglas*, 131; Andrew Stuart's *History of the House of Stewart*; Forbes Leith's *Scots Guards in France*, i.; Douglas's and Crawfurd's *Peerages*; Fordun, Bower's ed., ii. 461; Michel's *Les Écossais en France*, etc. [2] *Notes and Queries*, 3rd ser., xii. 54. [3] *Ibid.*, 3rd ser., ix. 513; x. 31, 274, 335, 498; xi. 120, 483; xii. 53; *The Herald and Genealogist*, v. 340. [4] It is stated in Mylne's *History of the Carmichaels*, quoting a borebrief in the Hyndford Charter-chest, that he married Margaret Douglas, daughter of James, Earl of Angus, but Earl James was never married; Douglas's *Peerage* gives his wife as Mary Douglas, daughter of George, Earl of Angus; dates render this theory impossible. [5] *Acta Auditorum*, 10. [6] *Ibid.*, 26. [7] Hyndford Inventory. [8] *Acta Dom. Auditorum*, 31.

Netherton of 'Carmichel' was granted 'Johanni Carmichel, *de eodem*,' 8 September 1482 by Archibald, fifth Earl of Angus.[1] He was a co-defendant in an action brought by Patrick, Earl of Bothwell, on 16 February 1489, but his name was struck out of the record.[2] He was dead before 5 May 1495, when William Carmichell is described as heir of the late John Carmichell his father.[3] He left two sons:—

1. WILLIAM, of whom a notice follows.
2. *George*, who entered the Church, became rector of Tynynghame 1475,[4] and of Flisk 1481,[5] Treasurer of Glasgow,[6] was on the Committee of Causes in 1478,[7] and was frequently present in Parliament.[8] In 1482 he was appointed Bishop of Glasgow,[9] and in the same year was placed on a commission to treat for a peace with England.[10] On 9 July 1482-83 he was appointed on the Council of Archibald, Earl of Angus (Bell the Cat).[11] He died in the same year, before his consecration.[12]

WILLIAM CARMICHAEL of that Ilk was probably of age in 1474, when he had sasine of Redmyre, being described as apparent heir of John Carmichell of that Ilk.[13] On 5 May 1495 he was infeft as true heir of John, his father, in Littlegalway by Sir James Sandilands of Calder.[14] On 7 July 1495 he had sasine of the Netherton of Carmichael,[15] and on 2 May 1498 his sasine of Reidmyre was ratified.[16] In 1510 he had a charter and sasine of the Overtoun of Carmichael,[17] and on 8 May 1528 he had a Great Seal charter of Redmyre and Carmichael incorporated into the Barony of Carmichael.[18] He died before 8 March 1528-29, as on that date a summons was issued at the King's instance against John

[1] Confirmed 22 July 1485, *Reg. Mag. Sig.* [2] *Acta Auditorum*, 138. [3] Riddell's Notes; Cleghorn Charter-chest. [4] *Douglas Book*, iii. 106. [5] *Acta Parl. Scot.*, ii. 134 (b). [6] *Reg. Mag. Sig.*, 16 May 1474; 22 January 1477; 18 July 1484; *Acta Auditorum*, 58; *Acta Dom. Conc.*, 56, 62; *Acts of Lords in Civil Cases*, 110*. [7] *Acta Parl. Scot.*, ii. 117 (a). [8] *Ibid.*, 108 (a), 134 (b), 136 (b), 142 (a). [9] *Reg. Mag. Sig.*, 18 February 1482; 25 February 1482; 22 March 1483; *Acta Auditorum*, 136*; *Laing Charters*, 189. [10] Rhymer's *Fœdera*; Crawfurd's and Douglas's *Peerages of Scotland*. [11] *Douglas Book*, iii. 436. [12] Keith's *Scottish Bishops*, 254; Innes, *Early Scotch History*, 60. [13] Hyndford Inventory. [14] Writ in Cleghorn Charter-chest. [15] Hyndford Inventory. [16] *Ibid.* [17] *Ibid.* [18] *Reg. Mag. Sig.*

Carmichell, son and heir of the late William Carmichell of that Ilk, in relation to the Overtoun and Nethertoun of Carmichael.[1] He had three sons:—

1. *Bartholomew*, who, on 16 June 1512, had sasine of the Overtoun and Nethertoun of Carmichael, his father's liferent being reserved.[2] He was dead, however, before 21 March 1519, when his father resigned the Overtoun and Nethertoun to his second son, William.[3] He left a daughter, *Elizabeth*, but no son. There was litigation after his death between William Carmichael of that Ilk and Elizabeth Carmichael, daughter and heir of the late Bartholomew, brother of William.[4]
2. WILLIAM, of whom a notice follows.
3. *John* of Park, of whom afterwards, and whose descendants carried on the male line of the family.

WILLIAM CARMICHAEL of that Ilk was of age in 1519, when he was infeft in Overtoun and Nethertoun of Carmichael on the resignation of his father, William.[5] After 1523 he was involved in litigation with his niece, Elizabeth, daughter and heiress of his brother, Bartholomew.[6] On 8 September 1532 he had a charter of Carmichael,[7] with sasine on 19 October 1534.[8] He was succeeded by his only son,

JOHN CARMICHAEL of that Ilk, who was a minor at his father's death, Gavin Carmichael of Park and John Carmichael of Meadowflat being his tutors and curators.[9] On 15 August 1540 he had a charter of Carmichael and Redmyre.[10] In the same year he had a charter of the Overtoun and Nethertoun of Carmichael.[11] In August 1560 he was present in the Parliament which confirmed the Confession of Faith.[12] On 5 November 1561 he was infeft as heir of his grandfather, William, in Carmichael.[13] In 1563 accusations of riot were brought against him and John and Archibald, his sons.[14] On 1 July 1564 he had an action brought

[1] *Acta Dom. Conc. et Sess.*, xx. xiii. f. 21. [2] Hyndford Inventory. [3] *Ibid.* [4] *Acta Dom. Conc.* [5] Hyndford Inventory. [6] *Acta Dom. Conc.* [7] *Reg. Mag. Sig.* [8] Hyndford Inventory. [9] 1528, *Reg. Sec. Sig.*, tom. 13. [10] *Reg. Mag. Sig.* [11] Riddell's Notes, Adv. Lib. [12] *Acta Parl. Scot.*, ii. 526; Keith's *Church and State in Scotland*, i. 147 (1347-48). [13] Hyndford Inventory. [14] Pitcairn's *Criminal Trials*, i. 437*.

against him by George Douglas, parson of Kirkmichael.[1] In 1574 he was a Commissioner for musters in Lanark.[2] It is said that he was present at the funeral of his kinsman the Regent Morton on 10 December 1582, and that on him devolved the task of carrying the head, which he did, 'shedding tears abundantlie by the way.'[3] On 10 May 1584, in consequence of his connection with the treasonable enterprise of Archibald, Earl of Angus, and John Carmichael, younger, his son, in taking King James VI. from the Castle of Stirling, he was ordered to deliver up 'the house and fortalice of Carmichaell.'[4] The doom of forfeiture does not appear to have been passed upon him, as it was upon his son and grandson for their complicity in the same conspiracy.[5] This leniency may have been on account of his advanced age. He died about 1585, having married in 1541 Elizabeth Somerville, daughter of Hugh, Lord Somerville, to whom he made a grant of lands in the Nethertoun of Carmichael, confirmed by a royal charter on 20 April 1541.[6] He left two sons:—

1. JOHN, afterwards SIR JOHN.
2. *Archibald* of Edrom, who was cited to appear before the Privy Council on 19 March 1565,[7] and in common with his brother, John of that Ilk, was denounced rebel for the murder of Riccio.[8] On 17 July 1574 he had a charter of the lands of Wray, co. Linlithgow,[9] conferred upon him, his brother having resigned them in his favour. In 1587 he was a cornet in H.M.'s Guard.[10] He prosecuted Thomas Armstrong for the murder of his brother, Sir John Carmychell of that Ilk.[11] He died before 14 May 1635,[12] having married Jonet Hume, daughter and heir of George Hume of Edrom, by Janet Balfour,[13] and leaving by her a son,

   (1) *Henry* of Edrom, who was served heir of his father in Edrom on 10 June 1600,[14] and on 14 May 1635.[15] He served on the

[1] *Acts and Decreets*, xxx. fol. 107. [2] *Acta Parl. Scot.*, iii. 92 (a). [3] *Douglas Book*, ii. 342. [4] *P. C. Reg.*, iii. 662; *Acta Parl. Scot.*, iii. 306. [5] *Ibid.*, 306 (a), 336-344. [6] Confirmed 27 June 1541, *Reg. Mag. Sig.* [7] *P. C. Reg.*, i. 436. [8] *Ibid.*, 462. [9] *Reg. Mag. Sig.* [10] *P. C. Reg.*, iv. 185. [11] Pitcairn's *Criminal Trials*, ii. 363. [12] *Retours, Berwick*, 17, 214; *Reg. Sec. Sig.*, xcviii. 65. [13] Sir James Balfour's *Hist. Works*; *Reg. Mag. Sig.*, 17 July 1574 and 15 March 1603. [14] *Retours, Berwick*, 17. [15] *Ibid.*, 214.

Committee of War for Berwickshire from 1646 to 1649.[1] He sold Edrom to David Hume of Crossrig 24 May 1679.[2]

Archibald Carmichael of Edrom appears also to have had two natural sons, *William* and *James*.[3]

3. *Mary*, married to John, son of Sir Robert Hamilton of Preston.

JOHN CARMICHAEL, afterwards Sir John, succeeded his father about 1585, when he is first found without the affix 'younger of that Ilk.'[4] He was of age in 1563, because on 6 July of that year he brought in his own name an action against Andrew Pharholm.[5] Failing to appear before the Privy Council, he was denounced rebel for the murder of Riccio.[6] On 2 May 1573 he had a charter of a tenement in the 'Forresteris-wynd' in Edinburgh.[7] On 8 May 1573 his father gave him a charter of the lands of Langhirdmanstoun, with remainder to his wife, James, his second son, and then to Hugh, his eldest son.[8] In 1575 he was Deputy Keeper of Liddesdale,[9] and also in the same year was appointed a Commissioner in the Reid Swyre affair.[10] On 18 November 1578 he was appointed Keeper of Liddesdale,[11] an office which he resigned before 13 January 1580-81,[12] but afterwards received a similar appointment in the West Marches on 13 September 1588.[13] In consequence of his adherence to the party of his relative the Regent Morton, upon the fall and subsequent execution of that statesman, he, in common with his son Hugh, was forfaulted on 28 November 1581, the treasons alleged against them being acts of conspiracy and contumacy in the interest of Morton after his arrest.[14] On the return of Arran to power he was one of the Ruthven raiders ordered, on 23 January 1583-84 to depart out of England, Scotland, or Ireland.[15] On 19 May 1584 forfeiture was pronounced against John Carmichael, younger, of that Ilk, Archibald, Earl of Angus, and others, for their treasonable enterprise in taking of the King's Majesty from the burgh of Stirling.[16]

[1] *Acta Parl. Scot.*, VI. i. 560 (b), 813 (b); VI. ii. 33 (a), 187 (b). [2] *Ibid.*, 283. [3] *P. C. Reg.*, vii. 325; *Reg. of Deeds*, xxxvii.; Riddell's Notes, Adv. Lib. [4] *Acta Parl. Scot.*, iii. 401. [5] *Acts and Decreets*, 27, fol. 236. [6] *P. C. Reg.*, i. 436-437, 462. [7] *Reg. Mag. Sig.* (2155). [8] Confirmed 19 May 1576, *Reg. Mag. Sig.* [9] Hatfield MSS., ii. 109. [10] *P. C. Reg.*, ii. 498. [11] *Ibid.*, iii. 47. [12] *Ibid.*, 344. [13] *Ibid.*, iv. 322. [14] *Ibid.*, 414, 431; *Acta Parl. Scot.*, iii. 193, 198-204. [15] *P. C. Reg.*, LXIII. iii. 624. [16] *Acta Parl. Scot.*, iii. 306 (a).

In 1585 Acts of restitution were passed in favour of John Carmichael of Carmichael.[1] On 10 August 1587 he had charters of the lands of Langhirdmanstoun and Currie and Eist Fentoun, Fentountoure or Over Syidsarff (Haddington).[2] On 18 January 1587 he was Master of the Stables.[3] In 1588 he was appointed Captain-General of Light Horse, Captain of the King's Guard, Warden of the West Marches, and was admitted to the Privy Council.[4] On 17 October 1589 he was chosen as one of the ambassadors to be sent to Denmark to negotiate the marriage of James VI. to Princess Anna, and he set sail with the King for that country five days afterwards.[5] On his return to Scotland he was knighted at the coronation of the Queen,[6] and was subsequently sent on a diplomatic mission to England to confer with Queen Elizabeth 'on matters of the highest importance to the two nations.'[7] On 31 December 1591 he had a precept of clare constat as heir of William, his grandfather, followed by sasine on 29 January 1591-92.[8] On 11 July 1592 he voluntarily resigned the Wardenship of the West Marches.[9] In the same year an Act was passed in his favour as Master of the Horse.[10] In 1593 and 1594 he was at the conventions at Stirling and Linlithgow respectively,[11] and on 20 January of the latter year was admitted a burgess of Aberdeen,[12] being also in the same year appointed a commissioner to modify the compositions payable by the King's tenants.[13] On 3 August 1597 the King wrote to Scrope 'signifying that he had sent him his trusty councillor Sir John Carmichael of that Ilk to confer on the best means of redress of offences committed on West March.'[14] He was reappointed Warden of the West Marches 15 December 1599,[15] and in the same year was on a Commission 'anent militarie disciplin.'[16] On 16 June 1600 he was murdered by the Armstrongs between Annan and Langholm.[17] Testament confirmed 7 April 1601.[18] He married,

[1] *Acta Parl. Scot.*, iii. 383; *P. C. Reg.*, iv. 30. [2] *Reg. Mag. Sig.* (1347-48). [3] *Border Papers*, i. (585). [4] *P. C. Reg.*, iv. xxvii. 315, 316, 322. [5] *Ibid.*, iv. 421, 430. [6] Rymer's *Fœdera*, bk. vii. pt. i. 32. [7] Crawfurd's *Peerage*; *Historical Notes* by Thomas. [8] Hyndford Inventory. [9] *P. C. Reg.*, iv. 767. [10] *Acta Parl. Scot.*, iii. 603. [11] *Ibid.*, iv. 39, 44. [12] Burgess Roll. [13] *Acta Parl. Scot.*, iv. 118. [14] *Border Papers*, ii. 722. [15] *P. C. Reg.*, vi. 63, 850, and *Border Papers*, ii. 1133. [16] *Acta Parl. Scot.*, iv. 188. [17] *Cal. of Border Papers*, ii. 1183. [18] Edin. Tests.

Margaret, natural daughter of ~~Sir George Douglas of Pittendreich,~~[1] who survived him certainly to the year 1620,[2] and by whom he had issue:—

1. Hugh, afterwards Sir Hugh, his successor.
2. *James*, who was born about 1569,[3] and was entailed to his father's lands of Langhirdmanstoun, under a charter confirmed 19 May 1576;[4] the lands of Hiefield were ratified to him on 4 December 1585, 'the said James being within age of xvj zeirs,' on a petition by his father, Sir John.[5] On 10 February 1594 he was admitted a burgess of Aberdeen.[6] In 1596 he fell in a duel with Adam Bruntfield, induced by the allegation that he had treacherously slain Stephen Bruntfield, the combat taking place at Barnbougle by command of the King.[7] He died *s. p.* His brother, Sir Hugh, was served his heir on 11 March 1601.[8]
3. *Mary* or *Marion*, married (contract 1 July 1596) to John Bothwell, Commendator of Holyroodhouse, afterwards created Lord Holyroodhouse.[9] She survived her husband, and died 9 May 1626.[10] She was one of Queen Anna's Ladies-of-honour, and in 1625 was in receipt of a grant of 3600 merks from the late King for her faithful service rendered to the late Queen.[11] (*See title* Holyroodhouse.)
4. *Abigail*, married, before 1 August 1617, to Hugh Weir of Clowburn in Lanarkshire.[12]
5. *Elizabeth*, married, 13 August 1590, to John Hume, younger, of Huttonhall, son of Alexander Hume.[13]

Hugh Carmichael, afterwards Sir Hugh, first mentioned on 2 May 1573, when he was a reversioner under a Great Seal charter (confirmed 19 May 1576). Both he and his father were involved in the conspiracy which had for its object the restoration to power of the Regent Morton, and were forfeited for that, and again for their share in the

[1] *Douglas Book*, ii. 170. [2] *P. C. Reg.*, xii. 358. [3] *Acta Parl. Scot.*, iii. 401-402. [4] *Reg. Mag. Sig.* [5] *Acta Parl. Scot.*, iii. 401-402. [6] Burgess Roll. [7] Birrel's *Diary*. [8] *Retours, Edinburgh*, 65. [9] *Reg. Mag. Sig.*, 2 February 1613; Hyndford Inventory. [10] *Edin. Com.* [11] *P. C. Reg.*, 2nd ser., i. 202. [12] *Reg. Mag. Sig.*, 20 Aug. 1617. [13] Hyndford Inventory.

Ruthven Raid.[1] He was pardoned 4 November 1585.[2] On his marriage, 1 December 1588, he had two sasines of Annatshill, Bonningley, and West Carmichael, following on a charter of the previous 8 October, and on 9 March 1592 he had a charter of Wistoun.[3] He was of the Privy Council to James VI., and in 1593 was appointed Master of the Horse, and in the same year employed on an embassy to Denmark.[4] On 20 December 1594 he went to France,[5] and on 29 June 1602 he was constituted Warden of the West Marches for the better revenge of his father's murder.[6] On 11 March 1601 he was served heir of his father Sir John in the lands of Langherdmanstoun and Currie, co. Edinburgh,[7] which he sold the same year,[8] and on 9 June 1607, in the Overtoun and Nethertoun of Carmichael.[9] He was dead by 16 May 1627, when his son Sir John had a clare constat as heir of his grandfather Sir John Carmichael, Knight.[10] He married (contract dated 1 December 1588) Abigail Baillie,[11] daughter of Sir William Baillie of Lamingtoun,[12] and by her had issue:—

1. JOHN, afterwards SIR JOHN, his successor.
2. *Margaret*, dead by 17 July 1649.[13]
3. *Anna*, married, before 12 June 1624,[14] to Dr. Walter Whiteford, son of James Whiteford of that Ilk, minister at Failfurd and parson at Moffat 1622, afterwards Bishop of Brechin. They had issue.
4. *Jean*,[15] married to James Lockhart, son of Allan Lockhart of Cleghorn (contract dated 21 February 1629).[16]

JOHN CARMICHAEL, afterwards SIR JOHN, is mentioned 29 March 1592, when he had a charter of the Kirklands of Carmichael from the rector.[17] On 9 February 1619 he had a Great Seal charter of Wistoun, in which he is described as son and heir-apparent of Sir Hugh.[18] On 12 April 1620 he had a charter of the lands of Carmichael from William, Earl of Angus.[19] He was served heir of his grandfather Sir John, in Carmichael, Reidmyre, and Carncross 16 May 1627.[20]

[1] *Acta Parl. Scot.*, iii. 336-344. [2] *P. C. Reg.*, iv. 30. [3] Hyndford Inventory. [4] *Ibid.*; Crawfurd's *Peerage*. [5] Hatfield MSS., v. 41. [6] *Border Papers*, ii. 1189. [7] *Retours, Edinburgh*, 65. [8] *Reg. Mag. Sig.*, 19 Sept. 1601 (1241). [9] *Retours, Lanark*, 74. [10] Hyndford Inventory. [11] *Ibid.*; Crawfurd's *Peerage*. [12] *Douglas Book*, ii. 287. [13] *Ret. Gen.*, 3541. [14] Hyndford Inventory. [15] *Ret. Gen.*, 3541, 3542. [16] Hyndford Inventory. [17] *Ibid.* [18] *Reg. Mag. Sig.* [19] Hyndford Inventory. [20] *Ibid.*

He was dead by 17 July 1649, when his sisters Jean and Anna Carmichael were served heirs-portioners of Margaret Carmichael, their sister, daughter of Sir Hugh Carmichael.[1]

On his decease his estates passed to his cousin Sir James Carmichael, first Lord Carmichael.

JOHN CARMICHAEL of Park (whom Crawfurd and Douglas erroneously style Walter), third son of William Carmichael of that Ilk (*see* p. 576), is first mentioned in 1519 as witness to an infeftment of William Carmichael of that Ilk, in Carmichael;[2] on 5 November 1520 he acquired the lands of Wiston as possessed by Mungo Park, and is described as brother-german of William Carmichael of that Ilk.[3] He was succeeded by his son,

GAVIN CARMICHAEL of Park, who is first heard of in 1528 as probably one of the nearest agnates of John Carmichael of that Ilk, being his tutor and curator, together with John Carmichael of Meadowflat.[4] In 1539 he had a tack of Parksyde and Udingtoun from the King.[5] On 14 March he complained anent the lands of Hyndfurd called Boathouse, having a joint grievance with John Sandilands.[6] He was witness to a Great Seal charter on 22 June 1546.[7] He had a tack of the lands of Boathouse from Lady Eglintoun in 1547.[8] The date of his death is uncertain. He married Geils Craufurd, and had issue one son, Charles,[9] who probably succeeded him. But his successor may have been his grandson Walter.

CHARLES CARMICHAEL [who has been wrongly styled James] is described as the son of Gavin in several public documents.[10] He may have married a daughter of Crichton 'of Sauchie.'[11] He had issue a son,

[1] *Ret. Gen.*, 3541, 3542. [2] Writ in Cleghorn Charter-chest. [3] *Ibid.* [4] *Reg. Sup. Civil Court*; *Privy Seal*, tom. 13, 1540. [5] *Exch. Rolls*, xvii. 684, 686. [6] *Acts of Sederunt*, 1811, p. 43. [7] Confirmed 10 January 1546-47, *Reg. Mag. Sig.* [8] Hyndford Inventory. [9] *Ibid.*; Riddell's MSS. [10] *Reg. of Deeds*, iii. 395, 16 November 1559; *ibid.*, 23 August 1560; Hyndford Inventory, 10 November 1564; Riddell's MSS., Adv. Lib. [11] So stated in *Bib. Harleii*, iii. No. 4637, art. i. 61 at Brit. Museum; but probably Crichton of Sanquhar is meant; this pedigree is not, however, reliable, as the author of it gives the Christian name James instead of Charles.

WALTER CARMICHAEL of Park, who received, 31 January 1566-67, from William, seventh Lord Borthwick, restitution of the lands of Hyndford, of which John, sixth Lord Borthwick, had deprived Gavin Carmichael, Walter's grandfather.[1] Walter of Park, in common with his cousins, John Carmichael of that Ilk, his son John, and his grandson Hugh, was involved in the Ruthven Raid, and was in consequence ordered by the Privy Council, 10 May 1584, to deliver up Park, and on the following day was summoned to appear before them.[2] He acquired the lands of Ponfeigh 9 January 1595 from the family of Govan.[3] There are numerous references to him in the Hyndford Inventory and in the public archives of Scotland. Under the will of William, ninth Earl of Angus, he was nominated tutor to the Earl's daughter, Elizabeth Douglas.[4] He was a magistrate for Lanark in 1610.[5] He died at Ponfeigh 25 September 1625.[6] He married, 31 January 1577, Grizel Carmichael, sister of the Captain of Crawfurd,[7] and had issue :—

1. JAMES, afterwards Sir James and first Lord Carmichael.
2. *Marion*, married, first, 1608, to James Stewart of Allantoun, Lanarkshire;[8] secondly, as his second wife, to Robert Denholm of West Shields, Lanarkshire, and had issue.[9]
3. *Grizel*, married to Stephen Lockhart of Wicketshaw.[10]
4. *Rachel*, married to Archibald Hamilton of Hallcraig.[11]
5. *Margaret*, married to William Telfer of Haircleugh.[12]
6. *Elizabeth*, married to John (not Sir John) Chiesley, minister of Quothquan; she had seisin of Annestoun 11 February 1636, and had a son *John*.[13]
7. *Catherine*, married, first, to William Weir of Poniehill (or Birkhill), a son of Blackwood; and secondly, to Hugh Robert Lockhart, portioner of the half of Wicketshaw, by whom she had no issue.

[1] Hyndford Inventory. [2] *P. C. Reg.*, iii. 662, 664. [3] Hyndford Inventory; *Reg. Mag. Sig.*, 6 February 1595. [4] *Douglas Book*, iii. 321. [5] *P. C. Reg.*, ix. 77; x. 211, 266. [6] See his will, Lanark Tests. [7] Hyndford Inventory; *Bib. Harleii*, iii. No. 4637, art. i. p. 61. Crawfurd says that in consequence of this marriage the family of Hyndford were heirs-general of that of Meadowflat; see his MSS., Adv. Lib. [8] Coltness Collections, 2. [9] *Ibid.*, 4. [10] *Reg. Mag. Sig.*, 24 August 1615. [11] Crawfurd's and Douglas's *Peerages*. [12] Douglas's *Peerage*. [13] Scott's *Fasti*, i. 227.

I. Sir James Carmichael was born 1579,[1] and appears to have first attracted the attention of James vi. by his athletic skill and by his personality.[2] On 11 August 1615 as 'Sewar to the Prince,' and again in 1620, pensions of £1200 and £100 respectively were granted to him.[3] In 1623 he was Master of the Ceremonies to Prince Charles.[4] He succeeded his father in 1625, and on 24 November of that year he had a precept of clare constat as his heir.[5] He was granted a pension of £150 per annum by Charles i. on 10 December 1625.[6] On 11 May 1627 he was made Chamberlain for Scotland (confirmed 20 July 1628, with a salary of £28). He demitted this office in 1630.[7] He was created a Baronet of Nova Scotia on 17 July 1627, as Sir James Carmichaell of Westraw,[8] and on the same day he got a charter of part of the territory of that country.[9] He was made Sheriff-Principal of Lanark 5 September 1632.[10] On 18 September 1634 he became a Justice of the Peace for Lanark.[11] On 14 October 1634 he was appointed Lord Justice-Clerk, on the decease of Sir George Elphinstoun, and Master of the Ceremonies in Scotland;[12] he was also created a Privy Councillor.[13] Disturbances breaking out in the Middle Country in 1635,[14] and on the Borders in 1636, he was appointed a Commissioner for their repression.[15] He had another pension granted him 23 December 1635 by King Charles i. of 2000 merks a year.[16] On 14 October 1636, on being appointed Treasurer-Depute, he resigned the office of Lord Justice-Clerk and Master of the Ceremonies in favour of Sir John Hamiltoun of Orbistoun. He was admitted as an Ordinary Lord of Session on 6 March 1639, and he was also a Commissioner for holding Parliament.[17] On 13 November 1641 he was reappointed Treasurer-Depute,[18] and a Lord of Session, a Commissioner for the Plantation of Kirks, and a Privy Councillor;[19] he was also reappointed Chamberlain of Scotland, with his son Daniel, and the

[1] *Part. Reg. of Sas., Lanarkshire*, ii. fol. 1099. [2] Crawfurd's *Peerage*. [3] Hyndford Inventory. [4] *Reg. Mag. Sig.*, 24 December 1623. [5] Hyndford Inventory. [6] *Ibid.* [7] *Ibid.* [8] *Notes and Queries*, 6th ser., ii. 21. [9] *Reg. Mag. Sig.* [10] *P. C. Reg.*, 2nd ser., iv. 533. [11] *Ibid.*, v. 380. [12] *Reg. Mag. Sig.* [13] *P. C. Reg.*, 2nd ser., v. 433-434. [14] *Reg. Mag. Sig.*, 15 November 1635; Rymer's *Fœdera*, ii. Car. i. 9. [15] *Reg. Mag. Sig.*, 12 June 1636. [16] Hyndford Inventory. [17] *Books of Sederunt*; *Acta Parl. Scot.*, v. 249. [18] *Ibid.*, v. 389, 704. [19] *Ibid.*, 401, 428, 666.

longest liver of them two, for life,[1] and the office of Lord High Treasurer being at the same time put into commission, he was named one of the Commissioners, receiving in November 1641 an exoneration for the revenue of the years 1636-40, which had been lifted by the Earl of Traquair, Lord High Treasurer.[2] In 1645 and 1648 he was on the Committees for the Exchequer[3] and of Estates[4] respectively. Upon the outbreak of the Civil War Sir James attached himself to the royal side, which he assisted with loans of considerable sums of money. As a reward for his services he was created a Peer by Charles I. at Carisbrooke Castle 27 December 1647[5] by the title of LORD CARMICHAEL, with remainder to his heirs-male whatever. This patent was ratified by Charles II. at Perth, 2 January 1651, with the original precedency. But the first patent was kept secret, and he still continued to be called Sir James Carmichael until the subsequent confirmation.

In consequence of his accession to the 'Engagement' for the rescue of Charles I. he was removed from his office of Treasurer-Depute, by the Act of Classes, 10 March 1649,[6] his son, Sir Daniel, being appointed in his place. In 1654 he was ordered by Parliament to pay a fine of £2000 to the Protector,[7] but this fine was remitted next year.[8] Throughout their exile he remained loyal to the royal family and survived the restoration fourteen years, dying 29 December 1672, aged ninety-three. He married (contract dated 1 November 1603) Agnes Wilkie, daughter of William Wilkie, burgess of Lanark, ancestor of the family of Foulden, and sister-german of Robert Wilkin or Wilkie, minister at Douglas and afterwards at Glasgow,[9] and left issue:—

1. WILLIAM, Master of Carmichael.
2. *Sir Daniel* of Hyndford and Mauldsley,[10] appointed joint Chamberlain of Scotland with his father 20 August 1641,[11] joint Master of Work and General Warden

[1] Hyndford Inventory. [2] *Ibid.* [3] *Acta Parl. Scot.*, VI. i. 303 (b). [4] *Ibid.*, ii. 102 (b). [5] Hyndford Inventory; Brunton and Haig's *Senators of the Courts of Justice.* [6] *Acta Parl. Scot.*, VI. ii. 271. [7] *Ibid.*, VI. ii. 820 (b). [8] *Ibid.*, ii. 757 (a), 845 (b). [9] Hyndford Inventory; *Bib. Harleii*, No. 4637, art. i. p. 61. [10] Hamilton's *Lanarkshire*, 51; *East Neuk of Fife*, by Walter Wood, 1st ed. 177. [11] Hyndford Inventory.

of the King's tradesmen in 1645,[1] and on his brother John Carmichael's death in 1644, joint King's Architect with Sir John Veitch of Dawick, on 28 July 1646.[2] He had a charter under the Great Seal of the lands of Hyndford on 20 March 1649.[3] He appears to have taken the popular side in the struggle between the King and Parliament, and upon the deposition of his father, Sir James, from the office of Treasurer-Depute on account of his loyalty to the King, was appointed in his place in 1649, and also made a Privy Councillor.[4] He also served in that year on the Committee of War for Lanark,[5] on the Committee of Estates,[6] and on a Commission anent the University of St. Andrews.[7] In 1649, 1650, and 1689 he was a Commissioner to Parliament for Lanarkshire,[8] and filled other offices. In January 1661 he was chosen one of the curators of James, second Marquess of Douglas.[9] He was excluded from the Act of Indemnity passed by Charles II. in 1662, and was fined £2400.[10] In 1667 he had sasine of Mauldslie.[11] In 1689 he was a Commissioner for the Militia,[12] and in the same year represented Lanarkshire in the Convention of Estates, and signed the Act declaring the legality of the meeting of the Estates summoned by the Prince of Orange.[13] He married, on 11 July 1661, Anna Scot, second daughter of the Laird of Ardross in Fife,[14] and died on 10 July 1692,[15] being succeeded by his grand-nephew, Daniel Carmichael, third son of the first Earl of Hyndford.[16] His widow married, as her second husband, Sir Robert Sinclair of Stevenston.[17]

3. *Captain John*, who is described as third lawful son of Sir James in a charter by the Earl of Mar to his father of the teinds of Pettynane,[18] is first mentioned as a witness to a sasine of 12 June 1634,[19] appointed

[1] *Acta Parl. Scot.*, VI. i. 426. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] *Acta Parl. Scot.*, VI. ii. 274, 363. [5] *Ibid.*, 188. [6] *Ibid.*, 536, 537. [7] *Ibid.*, 503. [8] *Ibid.*, 377 (b), 555 (b); IX. iv. [9] *Douglas Book*, ii. 447. [10] *Acta Parl. Scot.*, VII. 422 (b). [11] Riddell's Notes, Adv. Lib. [12] *Acta Parl. Scot.*, IX. 28. [13] *Ibid.*, IX. (9). [14] Douglas's *Peerage*; Edin. Reg.; Riddell's Notes, Adv. Lib.; Lamont's *Diary*. [15] Lanark Tests., 10 September 1692. [16] *Acta Parl. Scot.*, IX. 494. [17] Douglas's *Baronage*, 901. [18] *Part. Reg. of Sas., Lanarkshire*, III. 360. [19] *Gen. Reg. of Sas.*; *Part. Reg. of Sas., Lanark*, III. 219.

joint Royal Architect with Sir John Veitch of Dawick 19 April 1643.[1] He was killed at the battle of Marston Moor, 2 July 1644, at which he was a captain in the 60th Troop of Horse on the royal side, and was buried at Bilton church.[2] He died unmarried and *s. p.* In 1647 Sir William, Daniel, and James Carmichael petitioned for the payment of money due to their late brother Captain John, bequeathed to them.[3]

4. *Sir James* of Bonnytoun had a charter of Mosmyning and other lands on 1 March 1650;[4] he was a colonel in the army of King Charles at the battle of Dunbar 3 September 1650,[5] was appointed in 1661 a Commissioner of Excise,[6] and in 1678 a Commissioner of Supply for Lanark.[7] His name frequently appears in the public documents of the day.[8] He married Margaret Greir, daughter of Sir John Greir of Lag, Knight,[9] and had issue two sons :—

(1) *Sir James*, who was served heir to his great-aunt Jean Greir of Lag on 27 July 1665,[10] and to his mother on the same day.[11] He was dead before 4 November 1681.[12]

(2) *Sir John*, served heir of his father on 4 and 5 November 1681.[13] He was a Commissioner of Supply for 1685, 1689, and 1690,[14] and a Commissioner of Militia for 1689.[15] He married, 15 May 1684, Henrietta, sixth daughter of James, Earl of Annandale and Hartfell,[16] and had issue one son :—

i. *Sir James*, a Commissioner for the Militia.[17] He died July 1727,[18] having married (contract 7 January 1715) Margaret, daughter and heiress of William Baillie of Lamingtoun, and by her, who died 14 September 1759, aged sixty-three,[19] had issue :—

(i) *Sir William*, who died without issue in 1738, and was succeeded by his sister.[20]

(ii) *Henrietta*, served heir of her brother Sir

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[1] *Reg. Mag. Sig.* [2] Yorks *Arch. Journals*, xliii. and xliv., vol. xi. pts. iii. iv., 1891, p. 326, *n.* 42. [3] *Acta Parl. Scot.*, vi. i. 712. [4] *Reg. Mag. Sig.* [5] Crawfurd's and Douglas's *Peerages*. [6] *Acta Parl. Scot.*, vii. 91. [7] *Ibid.*, viii. 224. [8] Additions to Brit. Museum mss. 1846-47; *Index*, 22, 15, 750, f. 36; 20 Car. i. vii.; General Index to *Journals of House of Lords*. [9] *Ret. Gen.*, 4921. [10] *Ibid.*, 4922. [11] *Ibid.*, 4921. [12] *Inq. Gen. Supplement*, 8724; *Retours, Dumfries*, 308; xxxvi. 162; *Retours, Lanark*, 354. [13] *Retours, Dumfries*, 308, xxxvi. 162; *Retours, Lanark*, 354; *Ret. Gen. Supplement*, 8724. [14] *Acta Parl. Scot.*, viii. 465; ix. 70, 139, 28. [15] *Ibid.*, ix. 28. [16] *Scots Peerage*, i. 264. [17] *Acta Parl. Scot.*, xi. 318. [18] *Services of Heirs*, 15 February 1733. [19] *Gent.'s Mag.*, xxix. 442. [20] *Services of Heirs*, 22 April 1742.

William on 22 April 1742,[1] married to Robert Dundas of Arniston, Lord President of the Court of Session, on 17 October 1741,[2] and died 14 May 1755.

5. *Samuel*, who procured an instrument of sasine in favour of his father of the Overtoun and Nethertoun of Carmichael on 12 June 1634.[3] He was dead before 13 February 1644.[4]
6. *Agnes*, married to Sir John Wilkie of Foulden.[5]
7. *Mary*, married, first (contract 27 August 1640), to Sir William Lockhart of Carstairs, son of Sir James Lockhart of Lee; and secondly (contract 31 January 1652), to Sir William Weir of Stonebyres.[6]
8. *Anne*, married (contract 2 September 1647) to Sir David Carmichael of Balmedie, and had a daughter, *Agnes*, married to John Dundas of Duddingston.[7]
9. *Martha*, married to John Kennedy of Kirkmichael.[8]

WILLIAM, Master of Carmichael, Knight, the eldest son, who in his youth went over to France, where he learned the art of war, and was one of the *gens d'armes* of Louis XIII.[9] He was knighted by Charles I. during his stay in Scotland, being one of the six knights nominated by the Marquess of Douglas on his elevation to that dignity on 17 June 1633.[10] He had a Great Seal charter of the lands of Hyndford on 7 April 1643,[11] and was in the same year Commissioner of Loan and Tax for Lanark.[12] He was a member of various Committees of Parliament from 1644 onwards, and was some time colonel of the Lanarkshire Foot.[13] In common with his brother Sir Daniel, he appears to have taken the Parliamentary side in the civil war. He was lieutenant-colonel in the Clydesdale regiment at Marston Moor,[14] and commanded it against the Marquess

[1] *Services of Heirs*, I. ii. [2] Wood's Douglas's *Peerage*, ii. 181. [3] *Gen. Reg. Sas.* [4] See deed of gift by his father and his brothers Sir Daniel and Sir James to Lanark Grammar-School *penes* Town Clerk, Lanark, dated 22 November 1660. [5] Douglas's *Peerage*. [6] Hyndford Inventory; Douglas's *Peerage*. [7] *Ibid.* [8] *Ibid.* [9] Crawfurd's and Douglas's *Peerages*. There is no mention of him in Forbes Leith's *Scots Guards in France*. Andre Carmiguel, however, is mentioned as an archer on 10 December 1624 at p. 188 of vol. ii. of that work. [10] *Douglas Book*, iii. 329; *Historical Works* of Sir James Balfour, iv. 364. [11] *Reg. Mag. Sig.* [12] *Acta Parl. Scot.*, vi. 29. [13] *Ibid.*, vi. *passim*. [14] Rushworth's *Coll.*, III., vol. ii. 604.

of Montrose at the battle of Philliphaugh 13 September 1646.[1] He was Sheriff of Lanark in 1647,[2] and a Commissioner of Supply in 1655, 1656, and 1657,[3] and died *vitâ patris* in August 1657.[4] He married Grizel, daughter of William, first Marquess of Douglas (contract dated 23 March 1635), by whom he had issue:[5]—

1. JOHN, second Lord Carmichael, of whom a notice follows.
2. *Mary*, married (contract 2 September 1665) to Sir Archibald Stewart of Castlemilk, Baronet, and had issue.[6]
3. *Rachel*, married to James Weir of Stonebyres.[7]

II. JOHN, second Lord Carmichael, first Earl of Hyndford, succeeded his grandfather on 29 December 1672.[8] He was born on 28 February 1638, was served heir of his father and grandfather on 8 May 1673,[9] named one of the Commissioners of Supply for Lanark in 1678,[10] on 14 March 1689 was appointed one of the Committee of Parliament on controverted elections;[11] two days later he signed the declaration for securing the religion and liberties of the kingdom,[12] and on the 23rd he signed, along with the other members, a letter to William of Orange as King of England, thanking him for having convened the Estates.[13] In the proclamation 'for calling out the militia from this side Tay,' he appears as colonel of the troop belonging to the nether ward of Lanarkshire.[14] In the Act for new elections of town councils in the Royal Burghs, he was named Overseer for that of Lanark.[15] He was a Commissioner of Supply for Lanarkshire in 1689, and again in 1704.[16] He was appointed by King William in the same year a commissioner for the office of Lord Privy Seal and a Privy Councillor.[17] He was one of a parliamentary committee anent the settlement of Church government, and a member of others on fines and forfeitures in the

[1] Douglas's and Crawfurd's *Peerages*. [2] *Acta Parl. Scot.*, vi. (1) 316 (b). [3] *Ibid.*, vi. ii. 840 (b), 852 (b), 883 (a). [4] Hyndford Inventory; Edin. Tests. [5] Hyndford Inventory; *Douglas Book*, ii. 425; Baptismal Reg., H. M. Gen. Reg. Ho., Edin. [6] Hyndford Inventory; Crawfurd's *Renfrewshire*, by Robertson, 1818. [7] Hyndford Inventory; Douglas's *Peerage*. [8] Crawfurd's *Peerage*; *Complete Peerage* says 27 November. [9] *Retours, Lanark*, 324-325. [10] *Acta Parl. Scot.*, viii. 224. [11] *Ibid.*, ix. 6. [12] *Ibid.*, 9. [13] *Ibid.*, 20. [14] *Ibid.*, 25. [15] *Ibid.*, 52. [16] *Ibid.*, 70; xi. 141. [17] Douglas's *Peerage*.

interval of Parliament and for carrying out the Act rescinding the forfeitures and fines since 1665.[1] He represented his Majesty as High Commissioner to the General Assembly of the Kirk of Scotland in 1690,[2] an office which he again held from 1694 to 1699 inclusive.[3] Besides other posts he held he was preses of the Commission for the Visitation of Universities, etc.[4] On 18 January 1690 he was granted a pension by King William and Queen Mary of £300 as one of the commissioners for keeping their Privy Seal.[5] Lord Carmichael was in 1692 elected Chancellor of the University of Glasgow.[6] In 1693 he was one of a committee of three appointed by Parliament to draw up a dutiful letter to King William.[7] On the death of Queen Mary 1695, he was chosen one of the Committee of Parliament for the security of the kingdom.[8] From 1696 to 1707 he was Secretary of State for Scotland.[9] On 10 September in the former year he was elected one of the Committee of Parliament for trade, and on the same day subscribed the bond of association on account of the late wicked and cruel conspiracy against his Majesty's person and kingdoms.[10] As Chancellor of the University of Glasgow he established a bursary for a student in philosophy.[11] He was on several occasions in 1689 and in 1702 nominated a member of parliamentary committees. On 31 January 1699 he was appointed, with James, Viscount Seafield, one of the two Secretaries of State for Scotland,[12] and was granted a pension of £1000.[13] He was created EARL OF HYNDFORD, VISCOUNT OF INGLISBERRY AND NEMPHLAR, AND LORD CARMICHAEL OF CARMICHAEL 25 June 1701, with remainder to his heirs-male and of entail.[14] He had the colonelcy of a regiment of Dragoons conferred upon him 5 May 1702,[15] and on the following day was granted a pension of £400.[16] On the accession of Queen Anne he was sworn of the Privy Council, and continued in his office of Secretary of State.[17] He was made a member

[1] *Acta Parl. Scot.*, ix. 114, 161, 169. [2] *The Melvilles, Earls of Melville*, by Sir William Fraser, i. 222. [3] *Mun. Univ. Glas.*, ii. 495. [4] Vere Irving's *Upper Ward of Lanarkshire*, ii. 22; *Acta Parl. Scot.*, ix. 164. [5] Hyndford Inventory. [6] *Mun. Univ. Glas.*, iii. 309, 583; Hyndford Inventory. [7] *Acta Parl. Scot.*, ix. 308. [8] *Ibid.*, x. 9-10. [9] *Complete Peerage*; Douglas's *Peerage*. [10] *Acta Parl. Scot.*, x. 9, 10. [11] *Mun. Univ. Glas.*, i. 445; ii. 545. [12] Hyndford Inventory. [13] *Ibid.* [14] *Acta Parl. Scot.*, xi. 11. [15] Hyndford Inventory. [16] *Ibid.* [17] Douglas's *Peerage*.

of the Council of Trade appointed in 1705,[1] and was also one of the commissioners for the Treaty of Union, and in the following year steadily supported in Parliament the Act for carrying the same into effect.

He died 20 September 1710, aged seventy-two, having married (contract 9 December 1669) Beatrix Drummond, second daughter of David, third Lord Maderty,[2] and had issue:—

1. James, second Earl of Hyndford.
2. *William* of Skirling, born 1671, became a member of the Faculty of Advocates 31 January 1695, and was appointed King's Solicitor 1 April 1701, was M.P. for Lanark 1702-7, and an extraordinary director of the Bank of Scotland.[3] He died at Skirling 29 December 1759, aged eighty-eight,[4] having married, first, on 17 April 1709, Helen, born 2 January 1690, only child of Thomas Craig of Riccartoun;[5] and, secondly, Margaret Menzies, daughter of Alexander Menzies of Culterallers, and widow of John Hamilton, younger of Pencaitland. By the last, who died at Saltcoats in the county of Haddington, 17 June 1776, he had no issue, but by the first he had five children:—
   (1) John, fourth Earl of Hyndford, of whom afterwards.
   (2) *James* of Hailes, admitted a member of the Society of Writers to the Signet 30 June 1741, clerk to that body,[6] purchased the lands of Easter Hailes in the county of Edinburgh 1751, and died at Edinburgh 12 January 1781. He married, 16 April 1750, Janet, youngest daughter of Sir John Clerk of Pennycuick, Bart.,[7] but had no issue by her, who was born 10 August 1727, and died at Hailes 24 January 1784.[8]
   (3) *Thomas*, born 18 February 1715, died in infancy.[9]
   (4) *Elizabeth*, born 4 October 1711, died unmarried in the Canongate of Edinburgh 18 November 1783.[10]
   (5) *Helen*, married to John Gibson of Durie in Fife. He died 18 January 1767; she died 2 June 1787, having had seven children. This family is represented at the present time by Sir Thomas David Gibson-Carmichael of Skirling, eleventh Baronet, the additional name of Carmichael being assumed by Sir John Gibson, sixth Baronet, on succeeding to the Carmichael estate of Skirling.[11]

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[1] *Acta Parl. Scot.*, xi. 222-294. [2] *House of Drummond*, 190, 248. [3] Chamberlain's *State of Great Britain*. [4] Musgrave's *Obituary*; *Gent.'s Mag.*, xxx. 46. [5] Burke's *Extinct Peerage*; Douglas's *Peerage*. [6] Test. of Mrs. Elizabeth Carmichael, 9 May 1788. [7] Douglas's *Baronage*, ii. 423. [8] Clerk's *Memoirs*, 222. 9 April is the date given in the Ms. Family Register. [9] Douglas's *Peerage*. [10] Edin. Tests.; Musgrave's *Obituary*. [11] Burke's *Peerage*.

3. *Daniel* of Mauldsley, retoured heir on 3 December 1692 to Sir Daniel Carmichael of Mauldsley, his grandfather's brother.[1] He was a Commissioner of Supply in 1690, and again in 1706.[2] He died October 1708,[3] having married Barbara, born 16 December 1677, daughter of Sir George Lockhart of Carnwath, Knight, President of the Court of Session, relict of James Lockhart, younger of Castlehill,[4] by whom he had issue:—

   (1) *Daniel* of Mauldsley succeeded his father in 1708, of whom he was served heir-male, and of tail special, and of line general 8 July 1712,[5] obtained in 1745 an Act to enable him, or the succeeding heirs of entail, to sell lands in the counties of Lanark and Fife for payment of debts charged thereon, and to purchase other lands to be settled to the same uses; died 25 October 1765,[6] having married, 24 January 1742, Emilia, daughter of the Rev. John Hepburn, minister of Old Greyfriars, Edinburgh, and by her, who died 9 January 1769, had issue:—

      i. *Daniel*, who died in Portugal unmarried.
      ii. *John*, who was drowned in an attempt to ford the Clyde near his own house 24 August 1774, unmarried.
      iii. *William*, who died at Calcutta, 27 May 1778, unmarried.
      iv. THOMAS, sixth Earl of Hyndford, of whom a notice follows.
      v. ANDREW, seventh Earl of Hyndford, of whom a notice follows.
      vi. *Grizel*, who married Archibald Nisbet of Carfin; and by him, who died 20 October 1807, had a son Archibald Nisbet of Carfin.[7]

   (2) *George*, died unmarried.[8]
   (3) *John*, died unmarried.[9]
   (4) *William*, died unmarried.[10]
   (5) *Barbara*, died unmarried.[11]
   (6) *Grizel*, died unmarried.[12]

4. *David* of Crosfoord, advocate 23 July 1701, had a charter of Crosfoord from his father, and died before 27 May 1700, when his brother William was infeft as his heir of tailzie.[13]
5. *John*.
6. *Charles*. These two were lost at sea on the coast of Holland, while going abroad for their travels.[14]

[1] *Retours, Gen.*, 7313. [2] *Acta Parl. Scot.*, ix. 138; xi. 318. [3] *Services of Heirs*. [4] Lanark Tests., 11 Sept. 1739. [5] *Ibid.* [6] *Scots Mag.*; *Services of Heirs*. [7] Douglas's *Peerage*. [8] *Ibid.* [9] *Ibid.* [10] *Ibid.* [11] *Ibid.* [12] *Ibid.* [13] Hyndford Inventory. [14] Douglas's *Peerage*.

7. *Archibald*, born 15 April 1693, died young.[1]
8. *Beatrix*, married in 1700 to John Cockburn of Ormistoun, M.P. for the county of Haddington, and a Lord of Admiralty, without issue.[2]
9. *Mary*, married (contract 28 September 1704[3]) to John Montgomery of Giffen.
10. *Anne*, married (contract 8 April 1709) to John Maxwell of Blawarthill, son of Zacharias Maxwell of Blawarthill, cousin-german to Sir John Maxwell of Nether Pollok, one of the Senators of the College of Justice.[4]

III. JAMES, third Lord Carmichael and second Earl of Hyndford, was educated at Glasgow University,[5] was a Commissioner of Supply as 'Master of Carmichael' in 1693, was made colonel of a regiment of Dragoons 1706,[6] became a brigadier-general 12 February 1710.[7] He succeeded to the title on his father's death 20 September 1710, and was made a Lord of Police for Scotland 2 April 1715.[8] He died 16 August 1737, having married, 25 March (contract dated 24 March) 1698,[9] Elizabeth Maitland, only daughter of John, fifth Earl of Lauderdale, and by her, who died at Bath, 27 November 1753, aged seventy-one,[10] he had issue:—

1. JOHN, third Earl of Hyndford.
2. *William*, LL.D., born 1702, appointed to the living of Drayton, Bucks, in January 1737,[11] became Archdeacon of Bucks in 1742,[12] and in the same year, according to one authority,[13] in 1744 according to another,[14] he was founded in the cathedral of Lincoln. In 1747 he was rector of Werie, Bucks,[15] was consecrated Bishop of Clonfert and Kilmacduagh 5 January 1753,[16] translated to Leighlin and Ferns 1758,[17] to Meath the same year,[18] and to the Archiepiscopal See

[1] Douglas's *Peerage*. [2] *Ibid.* [3] *Eglintoun Book*, i. 95. [4] *Chartulary of Pollok Maxwell*, 29, 373. [5] *Mun. Univ. Glas.*, iii. 145. [6] Hyndford Inventory. [7] *Ibid.* [8] *Ibid.* [9] *The Annandale Book*, by Sir William Fraser, ii. 163. [10] *Gent.'s Mag.*, xxiii. 590. [11] *Ibid.*, 1737, v. ii. 61. [12] Douglas's *Peerage*. [13] *Gent.'s Mag.*, 1742, xii. 444. [14] *Scots Mag.*, 1744. [15] *Gent.'s Mag.*, 1747, xvii. 154. [16] *Ibid.*, xxiii. 53. [17] *Ibid.*, xxviii. 197. [18] *Ibid.*, 293.

of Dublin in June 1765.[1] He married, in August 1734,[2] Mrs. Godschall, a widow, sister of Sir Thomas Godschall, formerly Lord Mayor of London; she died at Bath, aged eighty-four, on 1 November 1782;[3] he predeceased her on 15 December 1765.[4]

3. *James*, M.P. for the Lanark Burghs 1734; returned again 1741, but found not duly elected; chosen again 1748. Died unmarried in London 1754.[5]
4. *Archibald*, Page-of-honour to George II., cornet of Horse 1731, and died a captain in Colonel Cotterel's regiment of Marines, of a fever, at Minorca, 7 March 1745, unmarried.[6]
5. *Charles*, born 5 May 1712, died in the service of the East India Company at Bombay 1732.[7]
6. *Margaret*, married (contract 24 January 1717) to Sir John Anstruther of Anstruther in Fife, second Baronet, M.P. She died 1721. Sir John Anstruther, third Baronet, was the son and heir of this marriage. He died 7 July 1799 aged eighty-one. His grandson and heir, Sir John, being heir of line of the Lords Carmichael on the death of Andrew, sixth Earl of Hyndford, inherited the Carmichael estates in Lanarkshire, and took the name.
7. *Mary*, married to Charles O'Hara, Esquire, of the county of Sligo in Ireland.[8]
8. *Anne*, married, 23 August 1748, to Gerald Dusign of New King St., Bath, and died there October 1783.[9]
9. *Elizabeth*, died young.[10]
10. *Rachel*, died young.[11]
11. *Grace*, died young.[12]

IV. JOHN, fourth Lord Carmichael and third Earl of Hyndford, was born on 15 March 1701 at Edinburgh,[13] was an officer of the 3rd Regiment of Foot Guards, of which he was made a captain 1733.[14] He succeeded his father 1737, was elected a Representative Peer of Scotland in 1738, 1741,[15]

[1] *Annual Reg.*, 1765, xxxv. 591. [2] *Gent.'s Mag.*, 1734, iv. 451. [3] *Ibid.*, iii. 551. [4] *Ibid.*, 1765, xxxv. 591. [5] Douglas's *Peerage*. [6] *Ibid.* and *Scots Mag.* [7] Douglas's *Peerage*; Edin. Reg. [8] Douglas's *Peerage*. [9] *Gent.'s Mag.*, 1748, xviii. 380; *Scots Mag.*, 1748. [10] Douglas's *Peerage*. [11] *Ibid.* [12] *Ibid.* [13] *Ibid.*; Edin. Reg. [14] *Gent.'s Mag.*, 1733, iii. 270. [15] *Ibid.*, xi. 329.

1747, 1754, and 1761;[1] was appointed one of the Lords of Police in March 1738; constituted Sheriff-Principal and Lord-Lieutenant of Lanarkshire 9 April 1739; represented His Majesty as Lord High Commissioner to the General Assembly 1739 and 1740.[2] When the King of Prussia invaded Silesia in 1741, the Earl of Hyndford was sent as Envoy Extraordinary and Plenipotentiary to that monarch, and was successful in arranging the Treaty of Breslau 1 June 1742. Upon the conclusion of that treaty he was nominated a Knight of the Thistle, and invested at Charlottenburg, 2 August 1742, by the King of Prussia, in virtue of a commission from King George II. He also received from the King of Prussia a royal grant, dated at Berlin 30 September 1742, for adding to his paternal coat the Eagle of Silesia, and the motto, *Ex bene merito*, this grant being ratified by a diploma from the Empress Queen, dated at Vienna 29 November 1742. He was next sent on an embassy to Russia in 1744, where he was instrumental in accelerating the Peace of Aix-la-Chapelle. He left Moscow 8 October 1749, and returned to Britain in the following year. He was sworn a Privy Councillor 29 March 1750, and appointed one of the Lords of the Bedchamber.[3] He went as Ambassador to the Court of Vienna 1752, where he remained till 1764. He was appointed Vice-Admiral of Scotland in December 1764, and on that occasion gave up his seat at the Board of Police.

Lord Hyndford was an excellent landlord, and spent large sums upon his estates of Carmichael and Westraw.[4] He died at Carmichael House 19 July 1767, in the sixty-seventh year of his age. He married, first, in September 1732, Elizabeth, eldest daughter of Admiral Sir Cloudesley Shovel, Kt., and widow of Robert, first Lord Romney.[5] She, who was born 2 November 1692, was one of the Ladies of the Bedchamber to the Princess of Orange, died at The Hague 17 November 1750, aged fifty-eight,[6] and was buried 30 November at Crayford in Kent, an estate she inherited from her mother. She had by the Earl of Hyndford one son, *Frederick*, who died *v.p.*

[1] Douglas's *Peerage*; Edin. Reg. [2] *Gent.'s Mag.*, x. 204; *Scots Mag.*, April 1740; Hyndford Inventory. [3] *Gent.'s Mag.*, xxii. 536. [4] Douglas's *Peerage*; *Stat. Acc.*, xiii. 365. [5] Burke's *Peerage*. [6] *Gent.'s Mag.*, xx. 525.

of the smallpox 13, and was buried 15, August 1736, at St. Clement's Danes. The Earl married, secondly, 22 December 1756, Jean, daughter of Benjamin Vigor of Fulham in Middlesex. She survived her husband forty years, and died without issue at Carmichael House 8 February 1807, in her eighty-first year.[1]

V. JOHN, fifth Lord Carmichael and fourth Earl of Hyndford, born 1710, was the eldest son of William Carmichael of Skirling, and grandson of John Carmichael, second Lord Carmichael and first Earl of Hyndford; he was born 5 May 1710, became a member of the Faculty of Advocates 25 January 1737, succeeded his father in the estate of Skirling 1759, and his cousin John, the third Earl, in the titles and estates in 1767. In 1778 a private Act of Parliament was passed for vesting in him the estates of Sir Cloudesley Shovel at Crayford, Norborn, and other places in Kent. He died at Edinburgh 21 December 1787, without issue,[2] in the seventy-eighth year of his age, and was buried at Kirkurd in the county of Peebles. His paternal property went to his grand-nephew and heir, Sir John Gibson-Carmichael of Skirling, grandson of his sister Helen by John Gibson of Durie;[3] his other estates and his titles to his cousin, Thomas Carmichael of Mauldslie, fifth Earl of Hyndford. He married, 16 January 1749, Janet, eldest daughter and heiress of William Grant of Prestongrange, Haddington, King's Advocate and a Lord of Session. She died at Prestongrange 6 July 1818.[4]

VI. THOMAS, sixth Lord Carmichael and fifth Earl of Hyndford, succeeded his brother in the estate of Mauldsley 1778, and was served heir-male of special tail of his father, Daniel Carmichael of Mauldsley, 17 December 1779.[5] He succeeded his cousin in the Peerage 21 December 1787, and died unmarried at Mauldsley Castle 14 February 1811,[6] being succeeded by his brother Andrew.

VII. ANDREW, seventh Lord Carmichael and sixth Earl of Hyndford, born 1758, was for several years an officer of the 16th Regiment of Light Dragoons, in which he had the

[1] *Scots Mag.* [2] *Services of Heirs*; Musgrave's *Obituary.* [3] *Services of Heirs.* [4] *Edin. Mag.* [5] *Services of Heirs.* [6] *Gent.'s Mag.*, lxxxi. pt. i. 298; *Services of Heirs.*

commission of cornet 1776, lieutenant 1779, captain 1786; served with it in America during the war; left the Army 1794; was colonel of the Clydesdale (Upper Ward) Volunteers, raised 7 September 1803;[1] succeeded his brother 1811, and in March of the same year was served his heir-male and provision-special. He died 18 April 1817, unmarried, in his sixtieth year.[2]

Since his death the family titles and honours have been dormant. He was succeeded in his paternal estate of Mauldsley by his nephew, Archibald Nisbet of Carfin, while the great family estates of Carmichael devolved on Sir John Anstruther, Bart. of Anstruther, the heir-general of the house of Carmichael, and are now held by Sir Windham Frederick Carmichael-Anstruther.

CREATIONS.—Lord Carmichael, 27 December 1647; ratified 3 January 1651, with the former precedency: Earl of Hyndford, Viscount Inglisberry and Nemphlar, Lord Carmichael of Carmichael, 25 June 1701, in the Peerage of Scotland.

ARMS.—Argent, a fess wreathy azure and gules.

CREST.—A dexter hand and arm in armour, holding a broken spear.

SUPPORTERS.—Dexter, a chevalier in complete armour, plumed on the head with three feathers argent, holding in his right hand a baton royal; sinister, a horse argent, furnished gules.

MOTTO.—*Toujours prest.*

[E. G. M. C.]

[1] The King's and regimental colours of this regiment are in the possession of Miss Hutchison, 46 Princes Gate, London, representative of the Nisbets of Carfin; the former has the arms of the Earls of Hyndford in the centre, with a small Union Jack in the top right-hand corner.
[2] *Gent.'s Mag.*, lxxxvii. pt. i. 382.

END OF VOL. IV

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